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Publication Date

2023

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UNIVERSITY OF CALIFORNIA
SANTA CRUZ

**“THIS UNIVERSITY IS NOT MADE FOR SOMEONE LIKE ME”:
A SURVIVOR-CENTERED STUDY OF CAMPUS SEXUAL VIOLENCE**

A dissertation submitted in partial satisfaction
of the requirements for the degree of

DOCTOR OF PHILOSOPHY

in

ANTHROPOLOGY

by

Alison Hanson

September 2023

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Abstract

“This University Is Not Made for Someone Like Me”: A Survivor-Centered Study of Campus Sexual Violence

Alison Hanson

Campus sexual violence in the United States has been elevated as a matter of national concern over the past decade through student activism, Title IX legal regulation, and the #MeToo movement. This attention has mandated the creation of institutional structures for addressing sexual violence, but also highlighted the limitations of university responses and the ongoing pervasiveness of sexual violence and sexual harassment. This dissertation provides an ethnographic account of how student-survivors' experiences shape and are shaped by institutional practices of remedy, support, and education at the University of California, Santa Cruz (UCSC).

At the heart of this dissertation is a concern with world-making: how survivors navigate through their experiences of sexual violation on campus. This work is the result of five years of participatory ethnographic research at UCSC. Methodologically, it draws on interviews with survivors, qualitative surveys, policy analysis, and participant-observation as a CARE advocate and educator to study survivor narratives and university practices for addressing and preventing harm. Conceptually, this work extends feminist, medical, and legal anthropologies of

“scripting” to understand how sexual violence is given meaning as a category of experience on campus and how survivors are guided into particular pathways for recovery and justice. To situate this inquiry, this study examines survivors’ experiences through various campus terrains: Title IX cases (Chapter One), institutional support offices (Interludes), discourses of trauma and consent (Chapter Two), storytelling and activism (Chapter Three), and teaching practices (Chapter Four). The chapters illuminate that dominant scripts can exclude survivors’ lived experiences and intersectional identities, which limits their abilities to seek accountability, healing, and support.

Ultimately, this dissertation upholds that supporting survivors and preventing violence are crucial to enhance equity and belonging on campus. It argues that we must broaden our capacities to hear survivors’ stories if we are to build safer, more supportive, and more equitable campuses. The pages that follow seek to make visible the everyday practices of care, survival, and intervention enacted by students, staff, and faculty. Yet, universities can do more; the Conclusion offers recommendations and best practices for moving “Beyond Compliance” to address and prevent sexual violence.

Acknowledgements

This dissertation would not have been possible without the contributions and support of many generous and caring people. First and foremost, my deepest gratitude goes to the survivors who shared your stories with me and our campus community at UC Santa Cruz. To the students who took time to write your thoughts in my survey, who openly discussed your experiences with me during interviews in McHenry, who shared your thoughts about policy in my SAB office hours in the Graduate Student Commons, who braved your vulnerability in advocacy appointments at CARE, who interned and volunteered to educate your peers and inspire cultural change, and who spoke out in community events or on social media, I have been endlessly inspired by your strength, openness, and commitment to building a better world. I hope that I have done justice to your stories and that you recognize yourself in the pages that follow. Many of you expressed that you shared your story so that others would know they are not alone. Your impulses to create a safer and more caring campus community have been my greatest motivation.

The network of institutional and administrative support I received throughout my research at UCSC was immense. There are many staff colleagues who provided mentorship, collaboration, and friendship both in my time as a graduate student representative and a staff member for CARE. The views presented in the following pages are my own as a researcher, and do not necessarily represent the perspectives of CARE or other offices at UCSC. However, this dissertation would have never come to fruition without the support from my CARE team, who helped me get through the

toughest times during the pandemic and reminded me to never lose sight of why we do this work. Thank you to each of you for everything. To the CARE prevention network across the UC-system, I learned so much from you and am endlessly inspired by your commitments to equity and ending violence. On campus, I am grateful to colleagues in SHOP, CAPS, Title IX, Student Conduct, the TLC, housing, SOAR, Student Affairs, and many other offices and committees who modeled intersectionality and equity in their mentorship and administrative work. I learned never to collapse my critiques of the institution with the individuals who do good work inside of it, and if there are any moments that this dissertation reads as doing such, that fault is squarely my own. You have showed me that institutional change can come from within.

Generous support and research funding for this project were provided by the Wenner Gren Foundation and the Beyond Compliance Initiative at UCSC, alongside travel and summer research grants from the UCSC Department of Anthropology, the UCSC Graduate Student Association, the UCSC Women's Initiative, and the Association for Feminist Anthropology. Thank you for the trust you put in my proposals and for seeing value in my project.

I am grateful to the many mentors and colleagues in my intellectual communities who uplifted my work. In particular, I am indebted to my committee members who provided generous academic and personal support throughout my time at UCSC. Megan Moodie has been enthusiastic about my ideas from the very beginning. Megan, thank you for your guidance on writing, for reminding me to fill

my own cup while doing emotionally difficult work, and for modeling care as a mentor and teacher. Kimberly Lau's commitment to preventing harassment on campus helped me imagine that this dissertation project could be possible. Kim, your sharp readerly eye and your ability to articulate what I am trying to say when I can't find the words myself has been a true gift. Nancy Chen helped me to first draft my project proposal and offered a critical lens in medical anthropology and institutional ethnography that I otherwise was missing. Jaimie Morse has been a conspirator in thinking both intellectually and practically about addressing sexual violence. Jaimie, thank you for uplifting my work's potential to inspire institutional change.

Beyond my committee, many other academic mentors at UCSC, CU Boulder (my second intellectual home), and beyond have inspired my research, thinking, and writing. Coursework and independent studies from Banu Bargu, Don Brenneis, Gina Dent, Nick Mitchell, and Savannah Shange at UCSC provided important theoretical foundations for this project. I am grateful to Srimati Basu, Lisa Davis, Kate Goldfarb, Donna Goldstein, Carla Jones, Carole McGranahan, and Zoe Wool for your intellectual guidance as conference discussants and engaged readers in ethnographic and proposal writing workshops. I also thank Fred Deakin and Kirk Lange for their administrative support and Jude Todd for always being a willing editor.

Early versions of my findings were presented at American Anthropological Association (AAA) annual meetings, a Society for Linguistic Anthropology annual meeting, the Sexual Violence and Sexual Harassment Research Forum at UCSC, a roundtable on "Articulating Trust" through the Humanities Institute at UCSC, and an

“Ethnography in Progress” Workshop at CU Boulder. Co-panelists, discussants, and engaged audience members in each of these spaces helped to refine my arguments and writing, and I thank each of you for thinking with me in public. I’ve also had the pleasure of collaborating on a AAA policy committee with experts who are leading the way in addressing sexual violence within anthropology both intellectually and professionally. I have learned more than I can articulate from your scholarship and your resolve to making our discipline safer and more inclusive.

I am lucky to have many colleagues and friends who have provided intellectual, personal, and political comradeship throughout my time as a graduate student. In particular, Kathryn Gougelet, Dawa Lokyitsang, and Monica Mikhail, thank you for making the writing process feel less lonely and for your unwavering support and friendship over the years. Thank you also to Gillian Bogart, Bailey Duhé, Suraiya Jetha, Alix Johnson, Sarah Kelman, Courtney Kersten, Natali Levin-Schwartz, Jessica Madison-Pískatá, Dani Merriman, Ike Minton, Zahirah Suhaimi, Lachlan Summers, Marnie Thompson, Vivian Underhill, Kirstin Wagner, and Brian Walter for your friendship, intellectual curiosity, and mentorship. Many of you have modeled how to take on emotionally difficult topics with care in your own research and writing that I carried with me throughout this dissertation. To all my SAB co-representatives, thank you for endeavoring to create a safer and survivor-centered Title IX process at UC. To graduate students at UCSC broadly, thank you for fighting to make our working conditions in Santa Cruz more livable – #SolidarityForever as you continue organizing for the COLA that graduate workers deserve.

None of this work would have been possible without the love and support of my family and my friends, to whom I give my deepest gratitude. My sisters – Ashley and Erika – have been my best friends and biggest cheerleaders when I needed it most. My twin, Michael, has always asked critical questions that pushed me to clarify my ideas. Thanks also to you and Daniella for bringing the joy of becoming an auntie to my life. To my parents, you’ve given me the world and believed in me even when I didn’t believe myself. I am forever indebted to you. My in-laws, David and Naomi Lopez, have welcomed me into the family with open arms and generously provided care for our pups. To the “sauvage squad,” thank you for making the Covid lockdowns feel less isolating and for offering endless light and laughter. Thank you, Liz and Maria, for helping me replenish my body in the Colorado mountains whenever I needed a break from writing. Bueno and Iggy are my most treasured companions; they have enriched my life in the way only puppy love can. Finally, my husband Robert, is my greatest source of joy, adventure, curiosity, and motivation. You model caring for our community and managing moments of crisis in your own work with BFD. Your love and support made this project possible for over a decade – believing in me from well before it was even started all the way through the end. Thank you for building a life with me and for showing me where I belong.

Introduction

In May 2020 – nearing the end of spring quarter – I met with Ariana,¹ a client I was supporting in my role as a confidential advocate with the CARE office at the University of California, Santa Cruz. Ariana and I had been working together for the whole school year, including through the disruption of the COVID-19 pandemic and the rapid shift to a remote environment just two months earlier. Ariana is a Latina-identified, non-traditional² student from Watsonville – commonly referred to as “South County” by Santa Cruz residents.³ When she first came to CARE in September 2019, she did not want to name the experiences that led her to the office, but she did refer to herself as a survivor and as someone who had experienced trauma. Ariana and I met one-on-one dozens of times and developed quite a close working relationship through which I learned that she had experienced abuse and sexual assault from a former partner. Due to that experience, she was now a single parent putting herself through her undergraduate studies on her own. Spring 2020 was her

¹ Ariana is a composite of four clients who I worked closely with as a confidential advocate in the CARE office. All four were undergraduate women who identified as Latinx and who experienced forms of violence – including sexual abuse – within their intimate relationships. Despite the creative liberties I take with composite characters, I want to assert the “realness” of the conversation described here, as it was one that profoundly impacted my approach to trauma-informed support on campus.

² “Non-traditional” students cover a range of experiences beyond entering the 4-year undergraduate program. This includes transfer students who do not enter as freshmen, re-entry students who took time off or went to college later in life, veterans, students who have children or other dependents, and students who had adverse life experiences in the foster care system, had been or had parents who were incarcerated, or had experienced abuse. At UC Santa Cruz, the STARS office is the central resource for “non-traditional students” broadly.

³ “South County” signifies the racial and class divide in Santa Cruz. It is typically used as a referent or shorthand for Latin-American communities, often farmworkers and migrants, who are poorer and have been pushed out of the city of Santa Cruz. There is much more to say about the white, liberal imaginary of Santa Cruz that I don’t have the space to do justice to in this dissertation.

target graduation date, but the hardships she faced over the past year meant it was likely that her graduation would be delayed until the following year.

This meeting was mediated through Zoom. Ariana was angry. She was struggling to manage her studies and children's schooling fully from home, the pandemic disrupted her ability to connect with her faith community, her grandmother passed away a few weeks prior, and it was nearing the one-year anniversary of her assault. The week before, she missed a deadline on a paper that was due because of these compounding stressors and asked for my support with reaching out to her professor. I sent a "letter of support" from the CARE office to request that an exception be given to allow Ariana to submit her paper late. The professor denied that request. His email stated that there was already ample flexibility built into the course assignments and that everyone was having a difficult time during the pandemic. Tears welled in Ariana's eyes as she expressed her frustration: "How can he do that, Alison? It's just not fair. I'm doing everything I can to keep up with my work. **This university is not made for someone like me.**"

Who *is* the university made for? As a woman of color, a trauma survivor, a parent, a student with psychological disabilities, and someone with strained financial resources, there were many aspects of university life that Ariana's experience made evident as points of friction. During the two years we worked together, Ariana was aided by a web of support from the university's student-serving offices. She was given emergency housing on campus, received the maximum amount of funding for basic needs from Slug Support and Educational Opportunity Programs (EOP), had

received supportive measures from the Title IX and the Equity and Equal Protection office, and had accommodations from CARE and the Disability Resource Center (DRC). And yet, she still felt betrayed by the ways the structures of the university routinely failed to accommodate her needs. Despite university resources directed toward inclusive teaching, Title IX, and diversity offices, the absence of a trauma-informed approach within academic and administrative structures caused harm for Ariana and other survivors on campus.

This dissertation is rooted in more than five years of participatory research with survivors of sexual and interpersonal violence at the University of California, Santa Cruz, including two years as a staff member for CARE. My research explores the ways that sexual violence has been situated as a central concern and responsibility of universities in the United States. I examine how the legal framework of Title IX, institutional support offices (such as advocacy and counseling), and educational practices script sexual violence within the university environment, and the consequences those scripts have for survivors like Ariana. These scripts guide survivors into narrow pathways for recovery and justice, including advocacy support through the CARE office. Care, support, and remedy following sexual violation is not neutral; institutional care practices have a politics that I aim to make visible in this dissertation. Following on these institutional framings and limitations, I explore how survivors articulate, rewrite, and refuse dominant scripts as they forge new pathways for healing, building community, and advocating for more just and safer worlds. Ultimately my research suggests that for universities to take equity and inclusion

seriously – to serve and create opportunities for all students – there is a need for trauma-informed pedagogical practices and a broader capacity for witnessing and accommodating experiences of sexual violence in the campus environment.

Mapping the Political Landscape of Title IX

Campus sexual violence in the United States is situated within a rapidly shifting and increasingly polarized politico-discursive context. This landscape of contestation is messy and complicated. At the political level – by which I am referring specifically to state and federal lawmaking around Title IX and gender-based civil rights – this polarization broadly maps onto political party affiliation. Democratic guidance, exemplified in the “Dear Colleague Letter” under President Obama in 2011, sought to expand survivors’ rights to access and equal participation on campus. This letter was borne out of listening sessions with student survivors and feminist activism that highlighted the problem of campus sexual violence. With a party change in the White House, pushback to increased measures of accountability from men’s rights activists and defense lawyers led the Trump administration to propose new federal regulations on Title IX in 2017, which were implemented in 2020.⁴ These regulations, spearheaded by former Secretary of Education Betsy

⁴ I don’t want to reduce the impetus for the changing guidance here, but the context of “men’s rights activism” in the 2010s is pertinent here. This was epitomized in Betsy DeVos’s meeting with accused perpetrators – who claimed they were falsely accused – in July 2017 as Title IX changes were proposed (Reilly 2017). More broadly, pushback to survivors’ gains in legal remedy came alongside social movements that sought to reframe and reassert men’s power. The hashtag #NotAllMen emerged on Twitter in 2011 (McKinney 2014), and the rise of the “incel” (or, involuntary celibate) subculture rose in online forums after a 2014 mass shooting in Isla Vista, a primarily student-community around UC Santa Barbara, where the assailant posted a manifesto proclaiming his right to women’s bodies.

Devos, have codified due process rights for respondents, limited universities' jurisdiction over sexual violence and harassment, and required procedures that increasingly mirror the legal justice system and create barriers for survivors (such as a live hearing with direct cross-examination by advisors). Following the election of President Biden into office in 2022, many survivor-activists hoped for swift and urgent action to reverse the DOE rules. However, in the current political context, the DOE's efforts and rules have focused on protecting trans athletes' participation in college sports rather than on sexual violence investigation processes.⁵ Regardless, the support and critique of Title IX regulations has mapped onto partisan lines, from the liberal centering of survivors to the conservative centering of the accused.

At the campus level, however, contestation around sexual violence does not neatly mirror this partisan frame. In response to high-profile cases involving allegations against faculty members – particularly those with academic prestige in liberal fields such as John Comaroff at Harvard (see Cho and Kim 2022; Gluckman 2020), Avital Ronell at Princeton (e.g. Harris and Wong 2018), and Gopal Balakrishnan (Subbaraman 2018) at UCSC, to name only a few – knee-jerk expressions of personal support have come even from feminist, queer, critical race, Marxist, and otherwise ostensibly progressive scholars (and in these cases I've named, the alleged perpetrators themselves have also been themselves identified

⁵ In April 2023, the Biden administration proposed Title IX rules that would make outright bans of trans athletes illegal; however, with much public comment and concern about protecting (cis) women in sports, the proposed rules do allow for schools to determine eligibility criteria that would restrict transgender athletes. There will be a public comment period, and final ruling is expected to be implanted later this year in 2023.

as such).⁶ The divide here falls more around power and prestige than on partisanship. How do we make sense of scholars whose work *theoretically* has given us a critical vocabulary to understand gendered structures of power, but who have signed on to open letters in support of faculty accused of sexual harassment? What are the politics at play? These letters often call to redirect accountability to institutional or legal processes, even as the signatories' scholarship points to the failure of such processes. As one such letter circulated by Humanities faculty at UCSC in the wake of public allegations against Balakrishnan in 2017 stated:

Such a campaign threatens us **all**, faculty, staff and students alike, insofar as it seeks to condemn by rumor, insinuation, and repetition. There are procedures in place on our campus and in our courts to address the grievances we have against one another, and these sorts of anonymous accusations impede the proper functioning of those channels. We urge the administration to join us in condemning actions such as these and to take steps to defend us against such assaults.⁷

While “all” is bolded, this letter – signed initially and in a subsequent email thread only by tenured and emeritus faculty – seems to center faculty as those most vulnerable by asking administrators to “defend us.” I have not seen similar statements against public allegations when they involve staff, medical professionals, or students.

The faith in Title IX or court-based processes to address grievances was particularly stark in this instance, as just a few months prior another Title IX case

⁶ There have of course been many other quite public cases, including in the UC system, as well as countless cases that have not been made public. Public ones include UC-system cases of faculty in STEM fields (e.g. [Neale and Camardo 2019](#); [Yahradyan 2018](#); [Witze 2015](#)), of doctors (Olson 2022), and even of UC Regents (Watanabe 2019). However, it's notable that the cases that have received such a robust outpouring of support from other faculty through signed open letters have been those in fields that are typically identified as more liberal in their use of critical theory.

⁷ The faculty letter was discussed (and linked) in a BuzzFeed news article about the case that was widely circulated and generated more public interest and news stories ([see Subbaraman 2018](#)).

addressing alleged misconduct by a UCSC faculty member – Hector Perla – was identified by national news media that indicated Title IX’s failure to hold faculty perpetrators accountable (see Sacks 2017). In this context, I understand the hailing of “procedures in place” to index not an actual belief in such systems per se, but rather the intimacy and entrenchment of power through tenured faculty.⁸ Such letters effectively operate to silence challenges to authority. Jennifer Doyle’s analysis of Larry Nassar’s sexual harassment case is instructive here. In a research article, “Harassment and the Privilege of Unknowing” (Doyle 2019), she identifies how injustice is enacted through the Title IX investigation itself. Through a close, textual reading of investigation documents, Doyle suggests that universities and individuals in positions of power reframe sexual violence as standard professional practice and reproduce “epistemic injustice” (a term she takes from Miranda Fricker) by denying awareness of harm. Such a frame could be extended from the doctor’s to the faculty’s office, where sexual advances are situated as part and parcel of the job of mentorship.

The Emergence of Title IX

My analysis of Title IX in the pages that follow extends from the insights of feminist legal scholars who have shown that medical and legal practices for addressing sexual and gendered violence inflict a secondary violence on survivors by objectifying the body, reframing assault as consent, and upholding racialized figures of proper victimhood (Baxi 2014; Campbell et al. 2001; Matoesian 1993; Mulla 2014;

⁸ Obviously not all tenured faculty sign such letters, but it is noticeably only tenured faculty who do.

Ticktin 2011). As I will illustrate in Chapter One, Title IX has become increasingly codified through policies and procedures that mirror the criminal justice system. Yet I take the violence and limitations of legal processes not as a conclusion but as a starting point to ask how survivors “make do” (de Certeau 1980) within the constraints of institutional scripts and evidentiary standards. Thus, while Title IX occupies a central (but not singular) focus through the first two chapters, I also foreground the ways that survivors seek support, community, and recognition as well as other opportunities for building a trauma-informed and inclusive campus outside of Title IX, such as through prevention programs and pedagogy.

But first, it’s worth taking a step back and asking how addressing sexual violence became so embedded in campus administration, and specifically through the framework of Title IX. There are a few different stories I could tell:

Story 1: Liberal feminism and the state

One is about the success of liberal feminism in bringing sexual violence to the forefront of the national agenda and effecting legal change. Sexual and interpersonal violence was a central area of organizing and activism in “second-wave feminism,” which is commonly described as spanning from the 1960s through 1980s. Diagnosing and opposing violence was a primary focus across various strands of feminism at the time – from liberal to radical to Marxist and anti-carceral feminisms.⁹ Naming sexual

⁹ Some of my overview perspective here is indebted to the teaching of Professor Nick Mitchell at UCSC, whose course “Feminism and Social Justice” for which I was a Teaching Assistant provided me with helpful overview frameworks about second-wave feminism.

and domestic violence, and understanding them as a widespread structural condition of patriarchal power was an incredibly powerful social intervention. This naming was enabled by the careful work of consciousness-raising groups and papers from the radical feminist organization Redstockings, which illuminated how individual experiences were in fact shared by many and which tied the personal to the political (e.g. Kelland 2016; Sarachild 1973).

The anti-violence movement in the 1960s began through coalitions of feminist and anti-racist advocates that acknowledged the ways that racial and sexual violence worked in tandem. Yet, as sociologist Beth Richie establishes in *Arrested Justice* (2012), the anti-violence movement shifted from a radical social justice coalition to an institutionalized model of legal advocacy and social services provision in the 1970s. The mainstream emphasis on shelters, social services, and legislative protections privileged a white, liberal feminist stance on sexual violence. Suddenly, money and resources were being invested into designated rape crisis centers and domestic violence shelters, so much so that these organizations now depend on state funding guaranteed under the Violence Against Women Act (VAWA) to operate. Feminists' legislative activism implicitly centered criminalization as a strategy for addressing and preventing sexual violence. As Richie notes, even seemingly progressive laws like rape shield laws, the battered women's defense, and mandatory arrest policies reproduced and entrenched a reliance on the criminal justice system. Furthermore, Kristin Bumiller (2008) argues that the U.S. feminist success in the 1970s in situating sexual violence as a social problem that can affect "everywoman"

went hand-in-hand with the entrenchment of the “crime control apparatus” and the “therapeutic state” apparatus of social work, both of which have particularly negative consequences for poor, minoritized, and immigrant communities.

In thinking about criminalization and therapeutics together, it’s important to note that engaging with the police was – and continues to be – a site of discomfort among sexual assault advocates in particular, a point Emily Thuma makes in her history of the D.C. Rape Crisis Center:

Collective members ultimately reached consensus on a policy that reflected the fundamental feminist principle that every woman is entitled to personal autonomy: they would neither dissuade nor encourage reporting a rape to the police. Volunteer counselors would provide information and validation, offer a compassionate ear, and invite them to become involved in the political life of the RCC. But, they resolved, “if a woman does wish to report the rape a Center member will accompany her to the police.” This stance soon became hegemonic in feminist antiviolence institutions (2019, 139–40).

In my experience, this complicated position on policing is one with which every sexual assault advocacy organization grapples, including the CARE office at UCSC. Despite a staff member’s individual politics or discomfort in working with the police or legal system, doing so is a *job requirement* if that is what a survivor chooses.

The liberal feminist reliance on the state can be extended further to consider how sites of support, policies, and procedures for redress become embedded in the university. One important law that came out of second-wave feminism – through advocacy by prominent feminist organizations like the National Organization for Women (NOW) – was Title IX. Passed in 1972 as part of a broader package of Education Amendments, Title IX prohibits sex-based discrimination on campuses that

receive federal funding.¹⁰ While the advocacy for this law in the 1970s – and the primary ways in which Title IX was applied in its first three decades – surrounded women’s sports, the intention was always broader: to expand civil rights through sex as a protected identity category.¹¹ Since students at Yale first invoked Title IX to protect against sexual harassment in 1977,¹² and even more so since then-Vice President Joe Biden signed the “Dear Colleague Letter” in 2011, federal guidance has insisted on sexual harassment as a form of gendered discrimination that schools are responsible for addressing. Mirroring the broader social approaches seen in the 1970s, university policies have been codified over the past decade to afford legislative protections for complainants and respondents. Earlier Title IX guidance recommended that schools have confidential counselors available for survivors, and Title IX regulations now explicitly state that colleges and universities can designate some individuals as confidential from Title IX reporting.¹³

The University of California system’s response to Title IX guidance was to form a Presidential task force, which involved the drafting and implementation of a

¹⁰ Note here that state-funding for universities is central. The threat of losing funding drives university compliance with federal non-discrimination and civil rights laws.

¹¹ The nuances of sex-based (rather than gender-based) language in Title IX law and the focus on athletics have gained renewed relevance in the 2020s, with conservative backlash to gender-inclusive policies being taken up across the country in legal battles around excluding trans athletes from university and professional sports. Jennifer Doyle tracks the gendered politics of sports in her blog *The Sport Spectacle* (e.g. 2023).

¹² See *Alexander v. Yale University* (1977). The student plaintiffs in the case were advised by Catherine Mackinnon, a well-known legal scholar and radical feminist activist. The plaintiffs did not win the case – the allegations were dismissed not because the courts argued that sexual harassment did not fall under Title IX, but because the allegations could not be substantiated. As the ruling states: “It is perfectly reasonable to maintain that academic advancement conditioned upon submission to sexual demands constitutes sex discrimination in education” (1977, 459:4).

¹³ See sample language for confidentiality policies from the 2014 White House Task Force here: <https://www.justice.gov/file/910281/download>. And see summary of the 2020 final Title IX Rule here: <https://www2.ed.gov/about/offices/list/ocr/docs/titleix-summary.pdf>.

systemwide Sexual Violence and Sexual Harassment (SVSH) Policy in 2015 and that mandated each campus create a confidential advocacy office all to be called CARE (at UCSC this stands for Campus Advocacy, Resources, and Education).¹⁴ CARE offices are modeled on the advocacy services of community rape crisis centers, part of the “therapeutic state” (Bumiller 2008) that diagnoses, treats, and oversees the recovery and rehabilitation of victims of sexual and domestic abuse. CARE staff are required to either have or acquire California state certification as both a sexual assault and domestic violence counselor within the first six months of hire.¹⁵ Certification is what legally upholds CARE staff members’ confidentiality on campus and enables those confidential services to be privileged in legal cases (similar to a therapists’ records¹⁶ or conversations with a lawyer).

There are two key implications that stem from this certification process: first, the staffing of advocacy offices depends not only on state funding to the campus and

¹⁴ The President’s Task Force Report can be found here: <https://sexualviolence.universityofcalifornia.edu/files/documents/svsa-phase2-report.pdf>.

¹⁵ The “CARE Common Charter,” a guidance document that was shared officially with me for research purposes, lays out training requirements for all CARE staff:

CARE will adhere to the requirements set forth by CA Evidence Codes 1035.2 and 1037.1 or be a currently licensed mental health provider within California when developing job descriptions for CARE. In accordance with these evidence codes, the following training standards are required: (1) completion of 40-hour sexual assault crisis counselor training and 40 hour domestic violence victim advocacy certification, (2) completion of 8 hours of continuing education to remain current on trends in the sexual assault and domestic violence field, (3) annual training on how groups experience oppression and discrimination.

¹⁶ Therapy records, like all medical records, are privileged (see Title 34 in the Code of Federal regulations: 34 CFR § 106.45). However, due to risks that this may open opportunities to subpoena additional medical records, Title IX investigators generally affirm that – because of the “preponderance of evidence” standard – medical records are not needed. At UCOP, Title IX has implemented stricter procedures that require a party to discuss with an investigator and sign a medical records waiver before submitting any medical documents. See UCOP’s Title IX training video on the “Investigation Process” from October 2021 here: <https://www.ucop.edu/title-ix/resources/svsh-training-and-materials/index.html>.

funding from the campus to that office, but also on funding and availability of state-certification programs to complete required training,¹⁷ and second, certification limits CARE’s scope of services to only sexual violence as one (of many) form of power-based interpersonal harm on campus. CARE advocates have to make strategic internal decisions about whether providing support to UCSC community members fit within the office’s scope. While this determination doesn’t always necessarily align only with the policy definitions of misconduct, CARE staff did have to be conscious of the fact that supporting folks with experiences of sexual, gender-based, or racialized harassment did not have the same legal protections as sexual assault and relationship violence and could even potentially jeopardize the office’s privilege.¹⁸

CARE is the only confidential resource on UCSC’s campus to provide information about options and grievance policies for sexual violence (Counseling and Psychological Services [CAPS] can provide confidential mental health services); there was no parallel confidential office for discrimination or equity complaints based on race, sexual orientation, disability, or other protected identities until the Ombuds

¹⁷ In California, sexual assault and domestic violence counselor training programs are 40-hours each if done separately – or 65-hours if combined – and typically provided by community rape crisis centers.

¹⁸ Confidentiality and privilege are guaranteed for certified sexual assault and domestic violence counselors under the California state evidence code (see specifically Section 1035.2(b) for sexual assault counselors at universities, and Sections 1037.1 for domestic violence). A majority of client services must be within the scope of sexual assault and domestic violence to maintain that privilege. CARE advocates across the UC system are classified under a common job standard (“4020 – Advocate 3”) per the President’s Task Force mandate (see footnote 13). Completing CA State Certification within six months of hire is listed as a requirement on Advocate job postings. For example, see UCSC CARE Advocate job post from February 2023 here: <https://www.higheredjobs.com/admin/details.cfm?JobCode=178283460> (last accessed August 16, 2023).

office was created in 2023.¹⁹ Nor was there a space outside of therapy for students to get support if they are dealing with non-sexual forms of interpersonal violence and conflicts, such as aggression from roommates or landlords, or bullying from faculty and peers. At UCSC, CARE became an unofficial site where any and all such support needs converged. CARE generally received inquiries not only about appointment or presentation requests, but also questions from students about health services and insurance, financial aid, mandatory training requirements and registration holds, and discrimination concerns outside of the office's scope. However, the state apparatus – including laws, policy, and funding – that makes confidential support offices possible necessitates a narrow framing of interpersonal violence that is sexualized and based on gender, and it also obscures the complex intersections between different forms of power-based interpersonal and institutional violence.

This liberal feminist approach of legal reform and state-based support for sexual violence was not inevitable, nor the only history and legacy of second-wave feminism. Scholars have identified anti-carceral approaches to sexual violence during the 1970s that highlighted the complex intersections between gender, race, and class-based forms of violence, as well as provide a foundation for reimagining non-statist means of justice. Emily Thuma's book, *All Our Trials* (2019) uplifts the history of anti-carceral feminist organizing that happened at the margins of second-wave feminism. She demonstrates how activist campaigns to support women of color

¹⁹ While UCSC formerly had an Ombuds office, it was closed in 2012 due to budget cuts and only reestablished in 2022 (Hernandez-Jason 2022). For most of my time of research and writing, CARE and CAPS were the only designated confidential offices on campus.

incarcerated for defending themselves against sexual assault provide an important intervention in the understanding of “violence against women” as not simply interpersonal, but also institutional. That is to say, the state enacts violence through gendered and racialized bodies within the system of imprisonment, which begs the question of how feminists can turn to the state as the solution to sexual violence.

Thuma’s work articulates with Angela Davis’s scholarship, which brings together domestic violence and the prison as parallel forms of gendered violence and punishment. In her essay “Public Imprisonment and Private Violence” (1998), Davis shows that because of histories of enslavement, racial subjugation, and patriarchal ideologies, women of color are more likely to be victimized by interpersonal violence as well as criminalized by the state. Further extending her argument that feminist and anti-prison activism should be brought together, Davis acknowledges that the prison itself is a site of rampant sexual abuse, a fact that is often implicitly sanctioned. The perspectives of anti-carceral and abolitionist feminists de-naturalize the turn to law, policing, and institutionalization that were uplifted by white women’s organizing in the 1970s. Rather, these perspectives illuminate non-statist aspirations for justice and ending gendered violence.²⁰ This history provides a valuable way of rethinking strategies to address sexual violence on campus that do not rely solely on institutional

²⁰ Outside of the U.S., South Asian feminist legal scholarship specifically has provided important frameworks for understanding colonial and custodial sexual and gendered violence through analyses of *sati* (e.g. [Mani 1987](#); [Spiyak 1988](#)), colonial legacies of rape laws ([Baxi 2014](#); [Kolsky 2010](#)), and specific cases such as *Mathura* in 1972 and *Nirbhaya* in 2012 (e.g. [Basu 2011](#); [Kannabiran and Menon 2007](#); [Roy 2016](#)). This scholarship has helped me to think about the force of witnessing and for imagining, in Nivedita Menon’s words, “feminist politics beyond the law” (Menon 2004).

structures and the apparatus of Title IX – a vision that I will pick up in the conclusion to consider what it means for a campus to move “Beyond Compliance.”

Story 2: Awareness campaigns and student activism

A second story is about the reality of sexual assault and harassment on college campuses and the entrenchment of rigid, institutional structures of power. Data about the prevalence of sexual violence is difficult to gather because of limited reporting rates, social stigma, and victims not identifying their experience as sexual violence, so turning to national climate surveys gives the best understanding of averages. The first report on sexual violence at a single campus was Clifford Kirkpatrick and Eugene Kanin’s sociological study, “Male Sexual Aggression on a University Campus” (1957), which found that 55% of college women surveyed at Indiana University indicated experiencing some sort of sexual or erotic offense and that men in fraternities were overrepresented as perpetrators. Psychologist Mary Koss published the first national prevalence study of sexual violence on college campuses in 1987, and her report has provided a benchmark for subsequent decades of prevalence data gathering.²¹ Her survey reached 26% of all college students in the United States, and it was the first to find that “one in four” women experience sexual violence on college campuses.

²¹ See “The Scope of Rape: Incidence and prevalence of sexual aggression and victimization in a national sample of higher education students” (Koss, Gidycz, and Wisniewski 1987).

Three and a half decades later, these numbers have remained fairly consistent. According to the Association of American Universities' (AAU) climate study published in 2020, approximately one in four undergraduate women, one in 16 men, and one in four trans and gender nonconforming students experience sexual assault (or what the survey labels as “nonconsensual sexual contact”) by force or inability to consent due to incapacitation (Cantor et al. 2020).²² Among graduate and professional students, one in 10 women, one in 50 men, and one in six trans and gender nonconforming students experience sexual assault during their time in their academic program. When we widen the lens to encompass experiences of sexual harassment more broadly, the numbers increase significantly. Nearly 42% of all students experience sexual harassment, and nearly 6% experience stalking. The survey also found that 10% of all students experience intimate partner violence. Across these categories, reporting to police or to the school remains low. Around 90% of those students who experience sexual assault do not make a report, and the AAU found the most common reasons for not doing so is that the survivor did not believe their experience was serious enough to report or that it wouldn't be taken seriously by officials. Another barrier to reporting is in the fact that most of the time (approximately 90% of instances), sexual violence is perpetrated by someone with whom the survivor commonly interacts. For graduate student survivors in particular, more than 25% of experiences involved harassment from a faculty member,

²² This data tracks closely with other climate studies, and there is reason to believe it is broadly representative of experiences on campuses across the U.S.

supervisor, or instructor, and those institutional power dynamics related to academic progress or career opportunities present a significant barrier to reporting.²³

The work of making campus sexual violence visible has come not only from academic research and campus climate studies, but also from feminist and student activism in the 1970s and in the 2010s. One of the most important and longest-lasting campaigns against sexual violence in the United States (and even internationally)²⁴ is “Take Back the Night” (TBTN). Take Back the Night began as grassroots mobilizations by women – mostly young, college-aged women – in the mid-1970s. One of the first TBTN marches was organized in Philadelphia in 1975 after microbiologist Susan Alexander Speeth was murdered while walking home from campus one night.²⁵ These marches have since turned into an annual event – often planned by students, advocacy centers, or women’s centers on college campuses. TBTN events typically combine physical presence of gendered bodies in a march to reclaim public space with a “survivor share out” where individuals tell their stories of violence in the mode of consciousness-raising as activism. Taken together, the event aims to raise awareness of the prevalence of sexual violence through community gathering and witnessing.

²³ Access the 2020 AAU Report here: [https://www.aau.edu/sites/default/files/AAU-Files/Key-Issues/Campus-Safety/Revised%20Aggregate%20report%20%20and%20appendices%201-7_\(01-16-2020_FINAL\).pdf](https://www.aau.edu/sites/default/files/AAU-Files/Key-Issues/Campus-Safety/Revised%20Aggregate%20report%20%20and%20appendices%201-7_(01-16-2020_FINAL).pdf)

²⁴ While “Take Back the Night” as a discursive framing for public mobilization against sexual violence came out of U.S. feminism in the 1970s, there were parallel international movements. In 1976, women marched at the International Tribunal on Crimes Against Belgium to protest violence against women, and since 1977 “Reclaim the Night” marches have been held across the UK (Mackay 2014).

²⁵ <https://takebackthenight.org/history/>

The radical feminist mode of organizing implicit in Take Back the Night largely shaped how campus sexual violence was understood throughout the latter third of the 20th century.²⁶ While the march and story-sharing sought to counter victim-blaming, their effect also inadvertently reproduced dominant scripts of women's need for protection as well as anxieties about "stranger rape." TBTN campaigns advocated for and directed funding resources toward self-defense classes for women (a dominant prevention strategy until at least the early 2000s)²⁷ and the installation of emergency "blue lights" on campuses that light pathways and provide a direct call to police with the push of a button.²⁸ The implicit idea of fostering women's safety by reclaiming public space reinforces a narrative of an unknown assailant – "jumping out from the bushes," so to speak²⁹ – victimizing women as they walked home. This is a narrative that is familiar to many of us, as gendered modes of socialization teach young women to walk with their car keys ready between their

²⁶ By radical feminism, I am referring broadly to the school of thought that identified patriarchal social systems and reproductive sex difference as the root of women's oppression and worked toward liberation through awareness and consciousness raising. Radical feminists took different approaches to sex and sexuality, with many notable figures – such as Andrea Dworkin and Catherine Mackinnon – seeing sexual relations between men and women as always already violent and objectifying. See more on the so-called sex wars in Gayle Rubin's "Thinking Sex" (1984).

²⁷ Self-defense classes are still popular in certain institutional spaces. At UCSC, the campus police department holds an annual self-defense class titled Rape Aggression Defense (RAD). The idea here is that you – as a potential victim – can learn to defend yourself against a potential rapist who attacks you. One student I interviewed, Kat, participated in the RAD class, and we discussed at length the limited framing it gave around consent and prevention. Due to the pandemic, I did not have the opportunity to sit in on it or view the curriculum myself.

²⁸ In the past few years with the rise of smartphones, apps to designate and track location or send emergency calls to a preferred friend or the police have emerged, though to my knowledge there is not a particular platform dominating current market share or campus efforts. When working for the CARE office, we regularly got solicitation emails from company marketing representatives trying to get our office to promote these products. There is a lot more analysis to be done about the forms of capitalization and surveillance that underpin such "solutions" – which is beyond the space I have here or the focus of my study.

²⁹ I will elaborate this point in discussing my interview with Preeti in Chapter 2.

fingers like claws to use for defense, be aware of their surroundings, and check their backseat before getting in their car. There is a victim-blaming attitude that underpins a self-defense method of prevention – if a survivor is assaulted, and they didn’t stop it, then isn’t it really their fault? – and TBTN aims to intervene in that narrative. However, this privileging and reclaiming of public space also doesn’t align with what data shows of the reality of sexual assault: that the vast majority of instances are perpetrated by a friend, acquaintance, or partner and “behind closed doors.” How do we Take Back the Night in the private space of the dorm room or the home?³⁰

While robust campaigns around campus sexual violence dwindled from the 1980s through the early 2000s, student activism dramatically shifted and amplified in the 2010s. In particular, student survivors became very legally savvy and aimed to use the law on their side to push for changes in their universities. Enabled by federal guidance such as the aforementioned “Dear Colleague Letter” published in 2011, media including new social media platforms, and a broader socio-political environment wherein understandings of consent were shifting, student survivors began to seek creative strategies for raising awareness. In line with the highly acclaimed documentary *The Hunting Ground* (Dick et al. 2016), survivors featured in the film and beyond began to file complaints against their universities under the Office of Civil Rights (OCR) for failing to properly handle their Title IX cases. Student activists created organizations such as “Know Your IX” and “End Rape on

³⁰ Recent research from Jennifer Hirsch and Shamus Khan in their book, *Sexual Citizens* (2020), illuminates the sexual geographies in which campus assault occurs. I’ll return to think more about their framing of space and geographies in the conclusion.

Campus” to assist other students with understanding their rights under Title IX and to direct survivors to support resources. By 2015, nearly 200 universities were under active OCR investigation³¹ because of survivor complaints, and universities were quickly responding by codifying policies against sexual violence and harassment and creating Title IX officer staff positions. At the same time, California enacted SB 967,³² which made affirmative consent (commonly referred to at the time as a “yes means yes” approach to consent, rather than “no means no”) the legal standard for higher education. It was within this legislative context that former UC President Janet Napolitano initiated a President’s Task Force to develop systemwide procedures to address and prevent sexual violence.³³ Subsequent to this work, the UC Office of the President implemented its first systemwide Sexual Violence and Sexual Harassment (SVSH) Policy in 2015. Per a Resolution Agreement after an OCR investigation at UC Berkeley that required changes to investigation and alternative resolution processes (e.g. Cannestra 2018; Public Affairs 2018), the SVSH policy was amended systematically for the first time in 2019 (during which time I served on the UC’s Student Advisory Board to provide a student voice on the policy revisions).

³¹ In June 2016, 192 institutions of higher education were under OCR investigation regarding Title IX complaints (Lipka 2016). A list of current pending OCR investigations can be viewed on the Department of Education website: <https://www2.ed.gov/about/offices/list/ocr/docs/investigations/open-investigations/tix.html>.

³² https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB967.

³³ Find the Task Force reports here: Phase I, September 2014: <https://ahed.assembly.ca.gov/sites/ahed.assembly.ca.gov/files/hearings/UC%20Task%20Force%20-%20Preventing%20and%20Responding%20to%20Sexual%20Assault.pdf>. Phase II, January 2015: <https://sexualviolence.universityofcalifornia.edu/files/documents/svsa-phase2-report.pdf>.

Alongside such legal strategies, over the last decade also saw students beginning to use performance art and social media to raise awareness about their experiences of sexual assault. One of the most prominent campaigns was by Emma Sulkowicz, a student at Columbia who carried a dorm mattress around campus during the 2014-2015 school year, which invited other students to participate in “carrying that weight” as a statement of support for survivors (Nathanson 2014). Students also used social networking sites – including Instagram, Facebook, Twitter, and increasingly since 2020 TikTok – to share images, videos, hashtags, and pledges with phrases like “No More,” “It’s On Us,” and #YesAllWomen to spur awareness and prevention efforts. Social media as a tool for sexual violence prevention gained new relevance in as the hashtag #MeToo went viral in October 2017. #MeToo was first used by activist Tarana Burke in 2006 to call for empathy with survivors, particularly young black women of color. While the 2017 use and subsequent movement was much broader than just the campus environment, it created new conversations on campuses and offshoot hashtags like #MeTooPhD.

Profoundly shaped by such public performances and social media campaigns, public conversations about campus sexual violence have been expanded from the “hunting ground” image limited to student party settings to awareness about broader structures of power in academia as well as faculty violence, harassment, and complicity. Certainly, social media continues to be used for student activism that aims to hold perpetrators accountable – significantly men in sports teams and Greek organizations. Yet faculty sexual misconduct became a particular concern of student

organizing at UCSC in 2017. The UC Regents settled a case for \$1.15 million wherein a student, Luz Portillo, alleged that a faculty member in Latin American and Latino Studies, Hector Perla, raped her and that the university Title IX office failed to adequately respond (Sacks 2017). Subsequently, students used momentum around institutional failures to prevent sexual violence on campus to write messages on the bathroom walls in the Humanities building and distribute flyers acknowledging predatory behavior by another faculty member, Gopal Balakrishnan. This case became very public very quickly, as statements of support and critique circulated over email, news media such as *BuzzFeed News* (Subbaraman 2018), *The Chronicle of Higher Education* (Mangan 2018), and the campus's *City on a Hill Press* (Gladu 2018a) covered the case, stories of Balakrishnan's abuse were shared by survivors online, and students formed in-person protests on campus. Faculty cases are both exceptional and routine. They make visible the most egregious abuses of power – entrenched in structures of tenure privilege and patronage – as well as how the bureaucratic operations of investigation, due process, and privacy work to uphold that power. While I do not spend a lot of time on these types of cases in the pages that follow,³⁴ they have significantly shaped student awareness and institutional responses to campus sexual violence over the past decade at UCSC.

³⁴ I do return to them in Chapter 3 and the Interlude, “A Story in Many Voices.”

Story 3: Neoliberalism and securitization

A third story is about the entrenchment of a security apparatus within the university itself, in tandem with divestment and privatization in higher education more broadly. I'll take the University of California as a particular case in discussing the neoliberalization of higher education, which requires a bit of history and context. The University of California (UC) is the state's largest land-grant university system and the leader in high-quality education and research in the state of California. A UC Berkeley Center for Studies in Higher Education (CSHE) report, "Approaching a Tipping Point?" (Douglass and Bleemer 2018), situates the UC's "social contract" in relation to state funding and disinvestment through its 150 year history. This social contract refers to: 1) providing educational access to the diversity of California's residents, 2) producing the majority of professional and doctoral degrees in the state, and 3) supporting California's economy through employment opportunities. The report notes that as of 2018, 88% of UC undergraduate students are California residents, 42% are first generation, and 38% are Pell Grant eligible (2018, 7). Additionally, UC is "the state's third-largest employer, with more than 190,000 employees" (2018, 8) across the 10 campuses, so employment qualifications, skills, and salary rates have an enormous impact on local economies.

Yet despite the social and economic contributions that UC provides to California, state funding has been cut back severely since 1990 in the post-Reagan era

of limiting government spending on public services,³⁵ with another sharp decline after the Great Recession in 2008. The CSHE report shows that from 1960 to 2014, the proportion of the UC's budget attributed to state funding dropped from approximately 60% to 10%, while student fees have increased to fund from 10% to 15% of the UC's operations.³⁶ Shown another way, the Public Policy Institute of California reports that state funding to the UC per full-time student was cut nearly in third from \$23,000 (per student) in 1977 to just \$8,000 in 2017 (Cook 2017). In this context, corporate or profit-driven models become a way to make up the budget gap – through endowments and reliance on private donations, for-profit services (such as in medical centers and non-degree educational programs), housing contracts, and external grants.³⁷ The disinvestment of state funding comes at the expense of rising tuition and increasing enrollments at all the campuses, alongside a reduction in tenure-track faculty lines in favor of low-wage adjunct instructors and graduate student labor to fulfill the University's teaching needs (Bosquet and Nelson 2008). Additionally, per a UC fact sheet, these austerity measures have negatively affected students; campuses cut back

³⁵ An article from *The Intercept* notes the ideological foundations of Reagan's antipathy toward the University of California began in his first gubernatorial campaign in 1966, which indicated resentment toward student protests and political engagement across the UC system. Thus, cutting state spending toward higher education was shaped by conservative politics to quell dissent (Schwarz 2022).

³⁶ To give a little more detail, the report shows that in 1960, approximately 60% of the UC's operating budget was covered by state funding, and less than 10% by student tuition and fees. By the 1990s, while state support dropped to cover around 25% of the operating budget, student fees remained fairly flat. However, the most recent data given in the report shows that by 2014 these numbers had reversed – state funding now accounts for only 10% of the UC's budget while student fees pay for 15% (2018).

³⁷ As student protests and worker strikes around cost of living needs at UC have emerged since 2019 (including the Wildcat strike that started at UC Santa Cruz), more public attention has been given to the UC's purchase of rental properties in campus communities and investments in real estate (including the private equity firm Blackstone). Such investments, while providing financial resources to cover operating costs, actually exacerbate the financial problems by driving up rental prices and cost of living for students and employees (e.g. Peterson 2023).

staffing in student services and instructional positions and deferred maintenance on living and learning facilities.³⁸ Pushing costs onto students causes further economic strain on housing and classroom capacity in the short term, along with saddling students with debt for decades post-graduation.

The economic landscape of state disinvestment in the UC (mirroring declining support for public universities across the U.S.) is worth laying out because it shapes the question of equity and socioeconomic advancement that underlie the UC's social contract. If the university is not made for students like Ariana, then who is it made for? While the UC's mission has been to boost educational attainment and socioeconomic mobility for the state's residents by admitting a racially diverse and gender balanced student population, that mission requires an administrative infrastructure to ensure rights to nondiscrimination are upheld and *all* students are supported to succeed socially and academically. We cannot assume that a student is unmarked by race, class, gender, ability, citizenship, and other structural forces that shape one's ability to succeed in an academic institution.

Diversity – as a demographic fact of enrollments – does not on its own engender inclusion, equity, or achievement; rather, the university must account for the differential barriers, dis/advantages, life histories, and social impediments that shape how students experience the university. As the UC Berkeley CSHE report notes, “enrolling a high percentage of disadvantaged and first-generation college students

³⁸ See here: <https://www.universityofcalifornia.edu/sites/default/files/UC-efforts-to-cut-costs-fact-sheet.pdf>.

means spending more not just on financial aid, but also on campus support services” (Douglass and Bleemer 2018, 6). At UCSC, this included the landscape of support services I engaged with in my research – such as CARE, Educational Opportunity Programs, diversity and inclusion offices, identity-based resource centers, STARS, Slug Support, residential staff, counseling services, Title IX, human resources, and much more. Tying back to finances, these offices and programs require resources for staffing and facilities, so in the face of budget cuts and austerity measures, they increasingly rely on staff who are overworked and underpaid.³⁹

Even as neoliberal policies have led to the defunding and privatization of higher education, at the same time the security apparatus has been increasingly regulated and allocated funding. The UC has its own police department (UCPD) – a common feature of campuses across the United States.⁴⁰ A research report issued by the United Auto Workers 2865, the local union representing graduate student workers across the UC system, situates UC policing as integral to modern policing in the United States more broadly: “early twentieth-century Berkeley city policing and police training – which began on UC Berkeley's campus – were instrumental in the militarization and institutionalization of modern American policing” (UAW 2865 Research Working Group 2021, 6). Today, the UC allocates a large sum of funding to policing; systemwide in the 2021-2022 fiscal year, the UCPD budget was more than

³⁹ In contrast to executive and leadership staff at the UC, who make enormous salaries. There is more to be said about critiques of “administrative bloat” within the university that exceeds the capacity of this study.

⁴⁰ According to a Department of Justice Report, as of 2012, 95% of 4-year colleges and universities (both public and private) with more than 2,500 students operated their own police agencies, and 75% of campuses had armed officers (Reaves 2015).

\$155 million.⁴¹ This funding to UCPD has nearly doubled in the past decade. An article in *The Nation* by Robin Kelley, Paola Bacchetta, and David Theo Goldberg – all UC professors – notes that in 2010 the UC’s funding to UCPD was \$79.5 million (2021). While the majority of UCPD’s budget goes to salaries and pensions, it is also used to purchase and upgrade military-style tactical gear, vehicles, and weapons for officers’ use. This increase in funding allocation coincides with state divestment in higher education and campus cutbacks to student support after the Great Recession in 2008 that I discussed above. As such, this investment in policing is in direct conflict with the UC’s social contract. After public critique of the UC’s response to student cost of living protests at UC Santa Cruz and a nationwide reckoning with policing and racialized violence in 2020, the UC convened a systemwide task force on policing that proposed a new set of values and priorities under the “UC Community Safety Plan.” Implementation of this work is still ongoing at the time of my writing, and impacts will certainly be worth review by other researchers over the coming years.⁴²

Two values in the UC’s new Community Safety Plan are around transparency with data reporting and accountability, so it is worth turning attention here to one particular legal framework that brings sexual violence and campus security together: the Clery Act. This act is named after Jeanne Clery, a student who was raped and murdered in her dorm room at Lehigh University in Pennsylvania in 1986. In response, her parents argued that the campus did not have adequate security protocols

⁴¹ According to the University of California’s webpage on the UCPD budget: <https://www.universityofcalifornia.edu/about-us/information-center/ucpd-budget-workforce>.

⁴² See more here: <https://www.ucop.edu/community-safety-plan/>.

and that the university covered up rising crime rates on campus (Beyette 1989). The Clerys' campaign led to the passing of a federal law in 1990 that requires all universities that receive federal funding to report annually on campus crime statistics and to provide timely notices when a crime that threatens the campus community has transpired. The intention of fostering campus safety is certainly laudable and can even be life-saving, particularly in an era of mass school shootings.⁴³

Yet at the same time, Clery annual reports and notifications have limitations. First, data reports and notifications are limited to those incidents that become known by the police department. At UCSC, UCPD staff on campus have oversight and responsibility for Clery compliance. The annual "Campus Security and Fire Safety Report" for 2022 notes that for all categories of Sex Offense crimes there were 23 incidents in 2021, 17 incidents in 2020, and 28 incidents in 2019. These numbers include all cases known to UCPD either by direct reports from victims and witnesses, from the Title IX office, or mandated reports from campus security staff (including staff in residence halls and student conduct). Data are not limited by an absence of victim information (for instance, residential staff reports retract names) or whether there is enough information for a formal complaint. For a campus of nearly 19,000

⁴³ At the time of my writing in Winter 2023, in the last 6 months there have been 2 mass shootings at U.S. universities (at the University of Virginia in November 2022 and Michigan State University in February 2023), and another mass murder stabbing event at the University of Idaho in November 2022. While emergency alerts undoubtedly provide an important mechanism to foster public safety, they can also be plagued by misinformation and increase public fear and anxiety (Riedman and Densley 2023).

students and over 4,000 staff employees,⁴⁴ these numbers clearly indicate an undercount given national data about campus sexual assault rates (discussed above).

Second, and one potential reason for this undercounting, Clery only mandates that statistics have to be reported for events that occur within the campus's jurisdiction. As the Records and Communications Manager for UCPD at UCSC explained to me, the "Clery geography" for Santa Cruz includes "the main campus property, as well as select sections of public (city/county/state) property that are immediately adjacent to the main campus, plus any other property that is defined as being owned or controlled (such as leased) by UC Santa Cruz." Under the California Education Code (Section 92600), UCPD at all of the 10 University of California campuses have jurisdiction for an area within one mile of the campus property. So sexual offenses that occur in off-campus residences or at bars in downtown Santa Cruz would not necessarily be included in data reports even if those instances were known to UCPD.

Third, the emergency notifications sometimes work against their best intentions by making audiences feel less safe and/or more distressed. UCSC's emergency alert system, "CruzAlert," sends timely automated phone calls and text messages for a variety of very different types of alerts – such as weather and natural disaster information, road or campus closures, and active safety incidents. The Slug Safe email notification system provides information about non-imminent crimes or

⁴⁴ According to a Personnel Profile report published by IRAPS at UCSC in November 2018, there were 4,107 campus employees, including academic personnel and excluding student staff. See: <https://medifiles.ucsc.edu/iraps/staff-profile/fall-2018/personnel-profile-2018-19.pdf>.

safety concerns on campus – such as suspected arson events, burglaries, and sexual and race-based crimes. Messages are written by campus authorities who might not be trained in trauma-informed best practices. Staff in the CARE office often heard from students and other campus community members that the language or vagueness of information in these messages was triggering or caused more distress for readers, and CARE tried to provide feedback and guidance on how to craft notices that were more sensitive to these potential impacts.

In considering these senses of safety or lack thereof on campus, I'm compelled by Jennifer Doyle's analysis of campus security not only as a legal apparatus, but also as a structure of feeling. In "Campus Sex, Campus Security," she shows how "the practice of administration [is] itself a form of harassment" (Doyle 2015, 11). University structures intended to enhance campus safety – like campus police departments and Title IX – themselves often end up reproducing violence. The security apparatus of the university becomes necessary as a matter of compliance – where universities that depend on state and federal funding have an obligation to ensure rights are not violated (as under Title IX) – but at the same time can be weaponized against communities of color or anyone who resists the administrative structure. Doyle offers an instance of police pepper spraying students at UC Davis during the 2011 Occupy movement as exemplar of the security apparatus; more recently, the 2020 wildcat strike by graduate student workers at UC Santa Cruz saw a massive deployment of militarized police to try to discipline workers. Doyle compels

us to ask *who* is included in imaginings of “campus safety” both in terms of sexual harassment response and campus police presence.

This economic, regulatory, and affective landscape of higher education matters because it shapes the conflict between imaginations of the university as an institution of social equality and class advancement and the reality of how privilege gets reproduced within and beyond the university in the United States. Studies show that students across racial, gendered, and class-based identities overwhelmingly report that work outcomes are the primary motivator for attending college – to gain marketable skills and prepare for a career path.⁴⁵ However, the Pew Research Center has found that black and Hispanic parents are much more likely than white parents to believe that it is extremely important their children earn a college degree to move up the economic ladder and into the middle class (Stepler 2016). This indexes a belief in college as a socioeconomic leveler. Racial and class-based distinctions also shape the degree to which individual students feel a sense of belonging or entitlement to the campus. As I heard throughout my research at UCSC, white, upper and middle class students tended to express a stronger sense that they have a right to be there and they deserve safety, accommodations, and support to develop socially, intellectually, and professionally (as Chapter One will illustrate). On the other hand, students of color, non-traditional students, and first generation students with whom I interacted

⁴⁵ See for example this 2018 Strada and Gallup report: . Notably, the title, “Why Higher Ed? Top Reasons U.S. Consumers Choose their Educational Pathways,” situates higher education within a consumption-based, capitalist, and neoliberal frame of choice. There are some limitations in this data, as it is self-reported within a set of choices as the “primary motivation,” so respondents could not choose both broader intellectual development or family expectations and getting a good job or career.

recognized that their aspirations for, affective attachments to, and success in the university were more tenuous. While I certainly heard such students express that they deserved to be at UCSC – because of their hard work or the financial costs they were bearing to attend college – Ariana’s recognition that “this university is not made for someone like me” shows that such belonging is not a taken for granted right.⁴⁶

Title IX Leadership and a Spirit of Innovation

There are practical, political, and intellectual reasons why the University of California, Santa Cruz (UCSC) makes an exemplary case and site for this research. The University of California (UC) has worked to situate itself and been broadly recognized as a national leader and innovator in addressing the problem of campus sexual violence. The “Presidents’ Task Force on Preventing and Responding to Sexual Violence and Sexual Assault” was convened in 2014 by former UC President Janet Napolitano to explicitly situate the UC as a national leader in this arena.⁴⁷ The UC enacted a systemwide SVSH policy in 2015 that was built around California’s affirmative consent law, the first state to write this definition into law (New 2014). The UC’s SVSH policy incorporates many procedures that are considered best practice, such as clear definitions of sexual misconduct, delineating investigation timelines and processes, using the “preponderance of the evidence” standard, and

⁴⁶ Anecdotally, as an Advocate I regularly emphasized that students deserved accommodations, financial resources, and to feel safe. Title IX prevention staff and I also collaborated to build in explicit language in our shared orientation programs that acknowledged how hard students had worked to get into UCSC and emphasized they *all* have a right to feel safe and to access their education free from violence and harassment.

⁴⁷ See report: <https://sexualviolence.universityofcalifornia.edu/files/documents/svsa-phase2-report.pdf>

having alternative resolution options available.⁴⁸ The UC has also mandated and institutionalized support services for survivors (CARE) and respondents (RSS) on each campus, models that have been implemented and followed at campuses across the United States. With changing federal Title IX guidance since 2017, UC leadership has regularly drafted public comment letters, open statements, and op-eds to articulate the university's position on such regulations (e.g. Napolitano 2020; Taylor 2019). As part of the UC system, UCSC staff regularly pride themselves as on the cutting edge of further improving systemwide processes, such as through the campus's "Beyond Compliance" initiative and experiments with restorative justice.

UCSC's innovative identity extends beyond Title IX and measures to address campus sexual violence. UCSC was founded in 1965 and was intentionally designed to feel small and intimate, straddling a liberal arts college with a large research institution. Inspired by the Oxford model of intimate discussion-based learning, UCSC was founded to be "a statement against the rise of the large, impersonal, and inflexible university" (Townsend 2015). University life (primarily for undergraduate students, but also for staff and some instructors) is structured around its residential college system, where each of the 10 colleges have their own personalities, curriculum, advising, and social programs.

Since its earliest days, UCSC's identity has encapsulated a spirit of activism, experimentation, and radical thought. Curriculum and research foci have blended

⁴⁸ See list of some recommended best practices in Know Your IX's "State Policy Playbook": <https://knowyourix.org/statepolicy-playbook/fair-disciplinary-procedures/>.

creative arts, social justice, and environmentalism. Today an accredited Hispanic-serving Institution (HSI), UCSC has long stated a focus on serving underrepresented students and on racial justice – encapsulated from the founding of Oakes college in 1972 to the re-naming of John R. Lewis College in 2022. The California counter-cultural ethos has been exemplified in the integration of radical academic disciplines – such as Community Studies, History of Consciousness, Environmental Studies (with its Center for Agroecology), and Feminist Studies (radical at the time of its founding) – into the center of campus curriculum. Additionally, alternative academic practices were upheld for decades, such as the use of narrative evaluations until the year 2000, when a standard academic grading system was voted on and implemented by the Academic Senate (Booth 2000). This move to a more traditional evaluation system was in part influenced by the growth of STEM disciplines (over the humanistic focus of UCSC’s first few decades), but also the growth of the campus and student population – where class sizes have grown and faculty capacity to individually evaluate students has been diminished.

Despite changes to a more “traditional” mode of academic assessment, students still pride themselves on a nontraditional and activist spirit – UCSC has led student and worker activism in union strikes through this day – and the campus still markets this ethos as a reason to attend or work for Santa Cruz over the other UCs.⁴⁹ However, the liberal imaginary of UCSC as an alternative university that centers

⁴⁹ Exemplified in the description of UCSC as a space for “nontraditional thinking” in banners on campus and leadership search announcements, such as this article about the search for a new Chancellor in 2019: <https://magazine.ucsc.edu/2019/03/wanted-extraordinary-chancellor-for-a-campus-like-no-other/>.

radical thinking and social justice, in fact, obscures the institutional structures of power and exclusion that are upheld. As Sheeva Sabati's dissertation, *Ethical Ellisions*, cogently argues, "narratives [of the university as an ethical institution] rely on elisions of the racial-colonial entanglements of higher education" (2019, 8). She calls attention to the UC specifically, arguing that its historical emergence as a public land grant university reproduced settler-colonial projects of Manifest Destiny. In a contemporary context, Sara Ahmed's brilliant study of diversity work in higher education, *On Being Included* (2012), examines the relationship of diversity work to institutional whiteness and institutional racism. Universities' symbolic or stated commitments to diversity – through images, the language of diversity statements, demographic accounting, and the creation of staff infrastructures of diversity work – do not always (nor often) lead to inclusion as an effect. Diversity not only indexes a tension between discourse and praxis, it is what Ahmed calls a "non-performative," where "to name [diversity] is to not bring into effect" (2012, 117). One might read UCSC's stated commitments to social justice, diversity, and inclusion as similarly eliding the racial and gendered politics that underpin sexual violence.

Geographically, Santa Cruz sits on the central coast of California on the northern edge of Monterey Bay, suspended between what are today Silicon Valley and the coastal farmlands of Wastonville, Salinas, and Gilroy. The land was originally inhabited by the Awaswas-speaking Uypi tribe of Ohlone peoples, but was violently occupied by Spanish colonizers and integrated into the California mission system in the eighteenth century. The campus sits on a hill above the town,

surrounded by a regrowing redwood grove and overlooking the Pacific Ocean. While Santa Cruz was for decades a sleepy beach town that attracted hippies, surfers, and tourists in the summer, it has since become one of the most expensive and coveted real estate markets in the country due to its proximity to Silicon Valley.⁵⁰ These economic pressures on the housing market are worth naming because they shape university life and access; UCSC is not only the biggest employer in the city,⁵¹ it's also one of the largest landlords driving up rental prices (Tauzer 2022). When Ariana asks who the university is for, it is not for students who can't afford to live to in Santa Cruz (or aren't willing to put up with unsafe, crowded, predatory, and precarious housing environments), despite the university's claims of diversity and inclusion for underserved populations.

Extending from the experimental ethos and residential college system, the social life of UCSC is more akin to a small liberal arts college than that of a large public university. While UCSC does have a Greek life system, there are no established on-campus fraternity houses for parties and the Greek community is fairly small. Nor are athletics an important driver of campus social life; without a football team, game days or tailgating are not a part of the Santa Cruz social scene. Instead of hallmarks like homecoming, First Rain, where students run naked through campus on the first rainy night of the year, and 4-20, with a large unsanctioned gathering in the

⁵⁰ The 2022 “Out of Reach” Report from the National Low Income Housing Coalition ranked Santa Cruz as the second least affordable housing market in the entire country, beat out only by the city of San Francisco (and even more expensive than Silicon Valley). See report here: <https://nlihc.org/oor>.

⁵¹ Though I do not have data about remote tech workers who live in Santa Cruz, particularly since the pandemic.

Porter meadow, are two of the biggest social events for undergraduates. Students regularly gather in the redwoods for forest parties, have smaller social events off campus, and frequent clubs like the Blue Lagoon, Motiv, and the Red Room downtown. During the time of my research, all of these bars were commonly known as spaces of predatory behavior, with a number of drug-facilitated sexual assaults that made public news.⁵² While I did not hear students talk very explicitly about the city's violent history, campus staff, UCPD, and community members referred to the "Co-ed Killer" in Santa Cruz in the 1970s during discussions of predatory behavior in downtown bars and stalking on campus.⁵³ While the geographic landscapes of sexual violence and vulnerability were beyond the scope of my research specifically, I will return to the idea of "sexual geographies" (J. S. Hirsch and Khan 2020) in the conclusion as an identified area in need of further study.

Finally, in the specific context of my study, UCSC is an ideal site precisely because of this tension between the university's imagination as a space of social justice and equality and the reality of prevalent sexual violence and harassment made public through multiple high-profile cases. Student activists have been at the forefront in illuminating the real and practical limitations of even a progressive-sounding policy and have for the past decade pushed the campus to move "beyond compliance" in addressing sexual violence. This research is an organizational ethnography that

⁵² During my employment with CARE, I worked on a campus project to implement drug-testing in the student health center for students who were concerned they had been involuntarily drugged and create outreach materials. Information can be found at <https://care.ucsc.edu/know-your-options/drug-facilitated-sexual-assault.html> (last accessed August 1, 2023).

⁵³ Notably, in the early 1970s Santa Cruz was the home of multiple serial killers at the same time and became known colloquially as the "murder capital of the world" (Dowd 2018).

offers a close study of the conflict between policy as written versus policy as enacted into practice. I intend to provide a balanced view of what is working and what isn't, not to regurgitate easy critiques or take downs of Title IX or the UC, but rather to identify opportunities for continuing to improve institutional practices and build an equitable campus for survivors.

Methodology

This dissertation is based on five years of participatory and ethnographic research conducted from 2017 to 2021 at UC Santa Cruz. Throughout this time, I enmeshed myself in various campus programs to remedy and prevent sexual violence and harassment and support survivors – whether formally or informally, and in various capacities – to see how institutional processes both create limitations and open possibilities. While the bulk of my participant-observation took place for two years as a full time staff member in the CARE office from June 2019 – September 2021, the foundations for this project were sparked much earlier. In 2016, I completed a state-certification training to become a sexual assault and domestic violence peer counselor with Monarch Services, the only rape crisis center in Santa Cruz County. This training introduced me to the problematics around legal frameworks, prevention, and long-term care for survivors that inform my project. Following this experience, I was compelled to do an informal mini-ethnography at UCSC that looked at campus and community responses to sexual violence in the wake of the two aforementioned public faculty cases in 2017 that sparked broad campus contention and conversation

around Title IX. I have since become deeply involved in sexual violence policy and prevention efforts on campus. Since 2017 (and through 2023), I have been a Graduate Student Association representative to the Coordinated Community Review Team for Sexual and Gender-Based Misconduct (CCRT).⁵⁴ I helped to review the online prevention programs for students and served on a committee to provide feedback on a new policy around conflicts of interest due to consensual relationships. From January 2018 – June 2019 I served an 18-month appointment as a representative to the UC systemwide Title IX office on their inaugural Student Advisory Board (SAB) while the UC was undertaking its first revision of the SVSH Policy. This experience made visible for me the particularities of policy – how language is crafted and the effects such documents have on local implementation and survivors’ experiences.⁵⁵

Subsequently, in the 2018-2019 academic year, I worked as a graduate student researcher for the “Beyond Compliance” initiative at UC Santa Cruz, an initiative that aims to involve faculty members in addressing and preventing campus sexual violence in ways that go beyond the minimum legal requirements. This position is where I first began thinking about trauma-informed teaching and storytelling as modes of SVSH prevention. Following Dr. Kimberly Lau’s initiation of a learning

⁵⁴ I started attending meetings simply as an interested graduate student in 2017 when meetings were open to the campus, then was formally appointed as a graduate representative in the 2017-2018 academic year. The CCRT is a committee of campus and community stakeholders whose charge is to review changes to campus policies and procedures, implement education and awareness programs, and participate in public communications. More here: <https://titleix.ucsc.edu/about/ccrt1/index.html>.

⁵⁵ My service on the SAB informs my analysis, but I only discuss documents in the public record. Policy drafts reviewed during my role with the SAB were circulated for public comment across the UC system. The Board’s recommendations are discussed and shared on UCOP’s website: <https://ucop.edu/title-ix/resources/student-advisory-board/index.html> (last accessed August 1, 2023).

community to help faculty develop modules on SVSH to embed in their classes, I designed and ran – in close collaboration with Dr. Kendra Dority in the TLC – a learning community for graduate students with eight participants representing all divisions on campus. I also got IRB approval to begin qualitative research with student-survivors.⁵⁶ I gathered students’ narratives about campus sexual violence and harassment through an anonymous, open-ended survey and conducted seven in-depth, semi-structured, confidential interviews with survivors to study how they articulate their experiences of harm and of healing and what they hope to see changed on campus. I used trauma-informed interviewing techniques – adapted from what I learned in advocacy trainings on active listening and motivational interviewing – which included asking open-ended questions, reflecting back the language that I was hearing, attuning to the subject’s emotional states, offering breaks or reminding participants they do not have to answer, and maintaining a calm composure.

Based on these early research and service experiences, I was recruited by the CARE office to work first as a confidential advocate, then as a prevention educator. This staff position offered me an entry point into the nexus of campus responses to sexual violence, from support services to legal and administrative processes, academic accommodations, and educational programs. Situating my participant-

⁵⁶ My research protocols were approved by the UCSC Institutional Review Board (IRB) under protocol #HS3327. After I became a staff member in the CARE office, my IRB protocol was modified. I received permission to conduct participant observation as a CARE staff employee while maintaining confidentiality, continue survivor interviews (excluding CARE clients from participation), interview campus staff employees, and conduct anonymous surveys during prevention trainings. In this dissertation, I use composite characters to protect survivor and staff confidentiality (see the Interlude – A Note on Writing).

observation within the CARE office gave me a unique insight into the administrative compliance landscape from the perspective of a survivor advocate and member of the case management team. CARE's scope of services is not limited by interactions with Title IX processes, but also includes support, referrals, accommodations, and skills development to foster a holistic healing for all survivors. As well, the office's prevention purview is for the entire campus community – undergraduates, graduate students, faculty, staff, and other campus affiliates. Thus, as an educator, I was able to hear broadly how students were thinking about topics like sexual violence, consent, healthy relationships, and more by facilitating conversations and using Zoom polls in orientation and training programs to gather anonymous data.

During these two years I worked for CARE, I saw and experienced the double-binds advocates faced while enacting support through the institution, and I intimately experienced the strain on capacity and vicarious trauma that comes from care work and trauma services. As CARE's sole prevention education coordinator,⁵⁷ my role was multiple – I provided strategic direction for all prevention efforts, designed training curriculum and outreach materials, facilitated workshops, served as an expert consultant for other campus staff and community partners, supervised undergraduate interns and their projects, provided individual advocacy services to survivors (including advising through Title IX cases and restraining order processes), and maintained staff relationships for case management. These responsibilities are too

⁵⁷ CARE was provided funding from campus administration for a second Prevention staff role shortly after I left the office in late 2021. This expanded capacity is critical, but I imagine still not enough.

much for one person, and I received support from my colleagues in managing priorities and burnout. However, the position allowed me to build rapport with both students and staff colleagues in various campus offices – not only those in Title IX and Student Conduct, but also in the health center, housing, student organization advisors (SOAR), academic advising, student resource centers, transportation services, international scholar programs, athletics and recreation, HR, and much more. As a CARE staff member, I interfaced with nearly every campus program, department, and functional area across the university in my dual capacities as advocate and preventionist, which illuminated to me how sexual violence – as a form of gendered inequity – impacts experiences within the university as a place of learning, work, community, and living very broadly. As the survivors I worked with made clear, addressing sexual violence holistically is a matter of equity, justice, and belonging on campuses.

In the midst of my research in 2020, this project was shaped by two significant events. Certainly, the Covid-19 pandemic disrupted everyday life for people around the world, and UCSC transitioned all teaching and services from in-person to online from March 15, 2020 through June 2021. Anthropologists suddenly had to think about “pandemic methodologies” – or how to do ethnography without the ability to travel and stay in an “other” place for an extended duration.⁵⁸ However, feminist, indigenous, and disability scholars have long innovated and reimaged

⁵⁸ Of course, as someone doing ethnography at my “home” institution, the lines demarcating “the field” were already blurry, and in some ways seemed illegible as anthropology. In rejections or feedback on fieldwork and grant applications, I have been frequently asked to justify the location of my project and what makes this inquiry anthropological, since the discipline generally imagines the field as elsewhere.

ethnographic practice, from disrupting the rigid boundary between “home” and “field,” attending to reflexivity and embodiment, and experimenting with digital ethnographic methods (e.g. Moodie 2022; Harrison 1997; Visweswaran 1994; Hurston 1935; Simpson 2014; Bonilla and Rosa 2015) – an eclectic form that some have recently named “patchwork ethnography” (Günel, Varma, and Watanabe 2020). As university operations maintained continuity over Zoom, so did my research, client meetings, prevention programs, and supervision of CARE’s intern team.

While the shift to remote research was in some ways momentous, in other ways it was quite familiar. The virtual sphere has long structured how survivors make worlds through demands for accountability and form communities of care during moments of heightened stress and uncertainty. As we saw in 2017 with the #MeToo movement, survivors continued to use social media as a platform to speak out and hold perpetrators accountable. In June 2020, during the height of remote campus operations, numerous allegations naming serial perpetrators of sexual assault primarily within the Greek Life community at UCSC arose and spread on Twitter and Reddit. These demands for accountability not only shaped institutional responses but also formed solidarity networks among survivors. At the same time, I acknowledge that the online sphere is not a utopian one. Particular forms of harm perpetrated online have been exacerbated – including, but not limited to, the new threat and experience of “ZoomBombing” that occurred during UCSC classes and events, experiences of stalking online, and technology abuse in relationships.

The second ground-shifting change to this research was the 2020 release of Federal Department of Education's new 2,000 page ruling on Title IX that sought to reign in universities' abilities to address sexual misconduct. Universities were given only three months to respond to and implement new investigation and adjudication structures – over the summer and in the midst of uncertain pandemic planning, no less. The new hearing model is one I did not have the opportunity to see enacted personally as an advocate and would certainly be worth further study to see how its implementation has shaped survivors' experiences through Title IX processes. However, this ruling compelled me – and many other campus publics – to dive into the gritty details of policy and legalism, and it made discursive analysis of policy texts and survivors' articulations of these policies an important method of my project.

While an organizational ethnography may on the surface sound impersonal, relationships have been absolutely essential to bringing this research together. The affective dimension of ethnography – the capacity to affect and be affected by those with whom we do research – was embedded in the relationships I cultivated during this project and also informed my stakes and applications. Through my various roles at UCSC – researcher, graduate student, teaching assistant, staff member, and student representative – I have helped to connect students and peers concerned with addressing SVSH to each other, provided resources and information to students and colleagues who have been personally impacted by various forms of power-based discrimination and harm, joined networks of graduate students seeking to organize against SVSH, and shared my feedback and insights with campus and systemwide

administrators. I came to realize that my positionality as a doctoral student and staff member – and also as a white woman socialized into dominant standards of professionalism – meant campus administrators took me and my project seriously in ways that students and staff of color or from other marginalized backgrounds were not afforded; thus, I used this privilege to elevate survivors’ concerns to the Title IX office, the Dean of Students, and faculty members after students felt they had been dismissed.⁵⁹

It is in this way that I situate this project within a broader feminist practice of participatory research that doesn’t hide its politics and aims for structural change. As I navigated the “hyphen” (Fine 1994) of insider-outsider researcher and doing the “homework” (C. Carter 2019; Gusterson 2017; Shulist and Mulla 2022; Visweswaran 1994) of critically interrogating my own university, reflexivity was imperative. I attempt in the following pages to situate myself within the text, to make visible the ways in which my own body, voice, and perspectives have shaped this research. A feminist research methodology is one committed to intersectionality, to amplifying the voices of the subjugated, and to building safety, care, and solidarity into the research praxis.

One way in which my project significantly departs from traditional models of participatory research, however, is through the question of collaboration. While my research interests and questions were recursively formed through what I was hearing from survivors and participants, the professional boundaries of siting my research

⁵⁹ Of course, while preserving confidentiality and with consent.

within the CARE office restricted me from sharing insights with survivors I met through that office, interviewing CARE clients, or contacting clients at all after leaving my position. Despite these limitations, an ethics of care has been embedded into my methodology, not only in the methods of trauma-informed interviewing, but also in writing some characters through composites to further guarantee confidentiality and crafting recommendations in my conclusion to amplify survivors' aspirations for a safer and more inclusive university.⁶⁰

Framing and Chapter Overview

This dissertation illuminates how survivors' experiences in a university context are negotiated through institutional, ideological, and policy constraints. The following chapters are organized around the terrains of Title IX policy, discourses of trauma and consent, institutional care practices, and pedagogy. While I situate students' experiences within these structural conditions that "script" sexual violence, I understand the university not solely as a dis-enabling bureaucracy, but also as a site with potentials for reimagining an otherwise to violence. As someone who has spent well over a decade in higher education, I admit my own personal attachments to and investments in the university. I aim to do more than critique, and to uplift the "worldmaking" projects of survivors who use, rewrite, and refuse the dominant scripts they are given. I believe this is the power of ethnography: to make visible the

⁶⁰ As discussed above, composite characters are crafted through multiple students who I observed through my role as a CARE staff member; however, for survivors who participated in interviews, I use pseudonyms and de-identify details to preserve confidentiality in accordance with my IRB procedures. See more in the Interlude, "A Note on Writing."

everyday practices of care, survival, and intervention that I witnessed among UCSC students, staff, and faculty.

Chapter One, “A Typical Title IX Case,” introduces Title IX investigations as a central site through which sexual violence and harassment are addressed on U.S. college campuses. Title IX is a civil rights law governing gender equity in education, and it has become increasingly legalistic over the past decade. Student activism, federal guidance, and state case law have not only raised awareness about campus sexual violence, but they have also codified policies and procedures for redress. In this chapter, I situate the Title IX investigation and adjudication process at UCSC specifically in its purview over the Sexual Violence and Sexual Harassment policy. In so doing, I highlight both the shortcomings and potentials of an administrative mode of remedying sexual violence. I seek to make visible the intricate enactments of Title IX policy through a composite case study of “Maddy’s” investigation. By foregrounding a survivor’s experience engaging with Title IX, I point to forms of “institutional betrayal” (Freyd 2008; Smith and Freyd 2014) embedded in an investigation. However, rather than disavowing Title IX, I hold close to the feminist ideals of Title IX as a mechanism for fostering gendered equity on college campuses. My position here is one of ambivalence. As the subsequent chapters will illustrate, this legal frame does not have to be our only option.

Chapter Two, “Scripting Sexual Violence,” lays out the central argument of this dissertation by considering how particular imaginings of sexual violence and recovery are produced in the campus environment. I draw on anthropological and

legal scholarship of “scripting” to understand the discursive and normative processes that guide survivors into particular pathways for recovery and justice (Buchbinder 2016; Carr 2011; Garcia 2010) – notably therapy and reporting. Through analysis of policy texts, training programs, and broader sociocultural frames of trauma and consent, I examine how “sexual violence” is discursively produced as an umbrella category that encompasses various forms of violation, harm, and nonconsensual acts. Survivors’ abilities to stake claims for rights, support, and inclusion depend on their experiences being made legible as sexual violence or trauma. I analyze the language survivors used in interviews, surveys, and ethnographic observations to foreground how they articulate, rewrite, and refuse these hegemonic institutional scripts. At the same time as I critique the way that dominant scripts limit survivors’ opportunities to seek justice and recognition, I want to be clear that this is not a critique of the affective attachments that survivors hold to such pathways for support and remedy.

If Chapter Two illuminates how sexual violence is scripted on campus, Chapter Three, “Survivor Stories,” extends my argument that we must broaden our capacities to hear and recognize stories of sexual violence and survival outside of dominant frames by situating witnessing as a practice of care. I draw on feminist, medical, and linguistic scholarship to situate the relationship among trauma, language, and witnessing. Building from this scholarship, I am careful not to conflate storytelling with empowerment or speech with experience in my reading of survivor narratives. Through ethnographic analysis of survivor advocacy, student activism, and “Survivor Speak Out” awareness programs, I consider how survivors talk about their

experiences and insist on sharing their stories in ways that refuse the imperative of naming and laying bare their trauma. Rather than give specific details about violation or tell a linear and cohesive story, survivors often talk around violence in fragmented form. I argue that the narrative entanglement of form, content, and context in survivor speech engenders ethical and political possibilities for witnessing, care, and belonging in the wake of sexual violence.

Focusing on survivors' narratives helps me to uplift opportunities for addressing and preventing violence on campus, so as to create inclusive and caring educational spaces for all. Chapter Four, "Teaching with Care," situates sexual violence within the academic mission of the university to develop a model of trauma-informed pedagogical practice. While students' experiences with trauma have long been invisibilized in the classroom or reduced to debates around "trigger warnings," the pandemic context and movements for racial justice in 2020 heightened scholarly attention to questions of "trauma-informed teaching" and "student resilience." Yet, guidance provided to instructors tends to situate "trauma-informed" or inclusive teaching practices within a framework of universal design, one that I argue abstracts course design from the embodied experiences of students in the classroom despite its intentions otherwise. I take seriously the demands that I heard from individual survivors for more transparency around course content, more flexibility, and more faculty attentiveness to students' well-being.

Interspersed between these chapters are Interludes that address questions and frameworks of care that underpin my research and this dissertation. I situate care in

terms of ethics and writing, methodologically in my training and work as a survivor advocate, and discursively through the emphasis on self-care that survivors face – an imperative that was made even starker after the emergence of Covid-19. While an interlude may be understood as supplemental to the argument as a whole, these brief segments are in fact essential to understanding my position as a researcher and writer throughout this dissertation.

Finally, the Conclusion, “Moving Beyond Compliance,” provides recommendations and best practices for addressing and preventing sexual violence and harassment on college campuses. Using a feminist and praxis-oriented lens, I propose structural changes and best practices that have the potential for enhancing equity in the Title IX process, alternative justice outside of investigations, and safety and belonging on campus through prevention education. Interrupting sexual violence can happen at many levels – from institutional to individual interventions. There is no one easy solution to end sexual violence. Yet, as my work in violence prevention continuously sought to make clear, we *all* have a role to play in creating a safer, more just, and supportive campus community. Of course, “we all” face differential vulnerabilities and privileges, and “we all” are situated in different social and institutional locations, so I want to be clear that responsibility is not evenly dispersed. As well, individual action alone will never be enough; we need broad social, cultural, and institutional shifts to eliminate sexual violence on campuses and in society at large. However, I take inspiration from the “administrative activism” I’ve seen from

my faculty mentors⁶¹ and staff colleagues, as well as the world-building projects of student survivors and allies to reimagine what is possible.⁶² By proposing recommendations and best practices within my dissertation, I hope to empower readers – whether you be faculty, campus leadership, staff members, or students, and whether you have personal experiences that resonate within this study or not – to identify where you might inspire change within your spheres of influence.

⁶¹ My committee has been my inspiration. I want to give a special nod to Kim Lau’s leadership of and Jaimie Morse’s participation in the Beyond Compliance committee on campus, Megan Moodie’s research and service in the Advancing Faculty Diversity Workgroup, and Nancy Chen’s leadership in the Institute for Social Transformation fellowship program, all of which have served as models for me of how to create change from within.

⁶² While I only recently became aware of the UC Survivors + Allies organizing group and research projects (and have not been substantively connected), I want to uplift their work and findings as they are complimentary to my project: <http://ucspeaksup.org/survivors-allies/>.

Interlude – A Note on Writing: Confidentiality and Composites

Much of my research was bound by my institutional and ethical constraints of confidentiality, and I've tried to responsibly attend to how to tell stories I learned through my research while protecting participants – whether survivors or staff colleagues. Following standard anthropological practice, I use pseudonyms for all interview subjects throughout this dissertation. However, I also apply some non-standard and creative writing practices, such as using composite characters and an experimental interlude to illustrate patterns of campus sexual violence I observed.

I opened the Introduction with a vignette about Ariana's experience requesting academic accommodations and support. While that conversation and the quoted statement acknowledging her sense of "mis-fit" (Garland-Thomson 2011) between her experience and the institutional environment of the university *is* one that actually occurred during a client session, Ariana is not actually a single individual. I have written Ariana throughout this dissertation as a composite character who blends the experience of four different survivors I supported as a CARE advocate. All four were Latina-identified women who experienced harm – including sexual violence – within their intimate relationships. All had challenges with their academics due to the trauma impacts of their experiences, and all had support from other student-serving offices on campus. However, there were some differences in whether they chose to engage with Title IX or not and other identity-based vulnerabilities – for instance, not all four were mothers. Relatedly, Chapter One will introduce readers to Maddy, another composite character who blends the experiences of four different survivors I advised

through Title IX processes as a CARE advocate.¹ Because there were different administrative staff involved in these cases, the glimpses I provide of investigators, student conduct staff, hearing officers, and the Title IX director are also composites. In all of these instances, while fictionalizing through a composite character in some ways may flatten the specificities of individuals' identities, experiences, and affective dispositions in the scenes I craft, at the same time it allows me to draw on specificity and patterns observed in my participatory research with the CARE office without violating confidentiality or capitalizing on any one survivor's experience. Thus, I assert that while these characters are fiction, they also hold truth.

This blending of truth and fiction has always been a part of ethnographic production, even if we haven't always been comfortable admitting it. If telling stories matters to anthropology, *how* we do matters even more. Feminist scholars of color in particular have been at the forefront of producing not only the richest narratives in our discipline, but also in drawing attention to the ethics and politics of our craft. My use of the composite is indebted to Zora Neale Hurston's oeuvre (e.g. 1935; 1937), Kamala Visweswaran's reflections on genre in *Fictions of Feminist Ethnography* (1994), the interventions that challenged a canonical and masculine mode of ethnographic authority in *Women Writing Culture* (Behar and Gordon 1996), and more recent provocations of ethnographic refusal from indigenous scholars like Audra Simpson

¹ Note that since the implementation of new DOE regulations in 2020 that allow for direct cross examination, CARE advocates and RSS staff are no longer serving as advisors in Title IX Hearings for DOE-covered misconduct. So this chapter marks a particular historical moment of change in Title IX processes that might be outdated on campuses when accessed by readers.

(2007; 2014). Across this scholarship I read attention not only to writing and genre, but to the politics, stakes, and responsibilities of ethnography.

An important part of this responsibility is being explicit about the craft of writing and unsettling ideas we hold about “ethnographic truth.” Kirin Narayan has argued that “the most important difference between fiction and ethnography resides in forms of accountability to the world outside the text” (1999, 141). It is in following Narayan’s question of accountability that I aim to be explicit about my narrative decisions throughout. Composite characters allow me to be intentional about what stories I tell, how, and why, while unsettling our disciplinary ideas about ethnographic truth. Ariana’s character illustrates how support offices and teaching practices differentially impact survivors of color and their sense of belonging on campus, even within a Hispanic-Serving Institution. The composite case discussed through Maddy allows me to make visible and visceral the grueling nature of the Title IX investigative process for survivors, even in those situations where the outcome validates their report – a fact that I witnessed over and over again through ethnographic research.

Transparency about my writing is a way for me to engage critically with questions of power and authority – of sexual violence, of academic institutions, and of ethnographic storytelling. Storytelling has long been a central mode of anthropological work. Ethnography takes stories as evidence and uses them to produce theory; yet as Carole McGranahan notes, “storytelling’s theoretical powers are not neutral” (2015). Ethnographers choose what stories we tell and what we leave

out. Relatedly, storytelling has been an important way for survivors historically to demand accountability, work through their own healing, and inspire cultural changes that aim to prevent violence. Storytelling forms the condition of possibility for empathy, justice, and belonging. I regularly heard from survivors that they participated in public events or in my interviews because they wanted others to know that they are not alone. My research aims to be in service of survivors' goals of sharing their stories while at the same time resisting "pornotroping" (in Hortense Spillers' [1987] terms) *and* contending with institutional requirements of confidentiality. We anthropologists – as both witness and storyteller (e.g. Daniel 1996; Das 2006; Jackson 2002) – must be accountable for our representations of violence, and I suggest the composite can offer an ethical model of bearing witness by attending to the craft and stakes of ethnography.

Chapter 1 – A “Typical” Title IX Case

Prefatory note: There is no such thing as a typical case. Every survivor’s experience is unique, and the Title IX process is shaped by the nature of the incident, the identities of the parties, and the investigator and other staff members who enact the policy. And yet, there are some contours and patterns that can be traced across cases, which I hope to make visible here. In this section, I narrativize the Title IX process through Maddy, a composite character whose experience intertwines those of four survivors who I supported while working as an Advocate at UCSC. In addition, I incorporate more generalizable experiences in the Title IX investigation process that I heard from survivors, other staff members, and students who spoke about their cases publicly. This chapter is intended to make visible how the policy is enacted. I caution those familiar with the UCSC campus against trying to read any one particular case in this narrative. This case is fiction, but it also holds truth.

Prefatory note 2: This chapter will describe experiences of sexual assault and institutional betrayal. The forms of interpersonal and structural violence discussed here might be difficult to read. I encourage the reader to engage with care, to pause, step away, or skip sections as needed. The more narrative case study sections will be indicated with an asterisk before the sub-heading ().*

In July 2019, I was sitting in my office with Maddy discussing the next steps of her Title IX case. I was newly in my role as a CARE Advocate, and we were still establishing our working relationship. Maddy had just finished her sophomore year at UCSC. She was tall and fit, with long, blonde hair that fell over her shoulders. Maddy was a member of a sorority on campus and a Humanities student. She had come to UCSC to enjoy both the educational and social aspects she expected of college life. Yet the college experience she imagined was disrupted by sexual violence. Maddy became educated not only in the arts, history, and literature classes she took, but in a bureaucratic system of university policy, complaint, and conduct processes. This education is not the one Maddy had signed up for.

This was only our second time meeting after I had been assigned to take over her case. For the past 8 months – nearly the whole previous academic year – Maddy had been engaged in a formal investigation process with the Title IX office. The investigation was completed shortly before the end of the school year in June, and the report *did* find that the respondent was responsible for violating the university’s Sexual Violence and Sexual Harassment (SVSH) policy. Because the charge was for “sexual assault – penetration,” the Student Conduct officer imposed the minimum sanction of a two-year suspension from the university. The respondent, John, immediately indicated that he would appeal, which was confirmed to Maddy over email from the Student Conduct Officer. This notification had been sent the previous Friday afternoon, and Maddy spent the weekend in an emotional spiral.

We were reading through the appeal notification together, and I explained to Maddy that her case would proceed to hearing. She leaned back in the light blue armchair, her forearms crossed over her chest. “What does *that* mean?” she asked, her voice sharp and short. I responded that the hearing is composed of a board of staff members who review the case. I tried to paint a picture of what the hearing process looks like – she would have the opportunity to make an opening statement, questions may be asked of her, and she would be able to ask questions of the investigator. Maddy cut me off. “Why do *I* have to be there though? I’ve already told the investigator everything. I don’t have anything more to say about what happened.” Maddy’s frowning lips, steady eyes, and hunched shoulders looked simultaneously defiant and worn out.

I bit my lip and paused. I was weighing how to simultaneously be honest about her options, acknowledge her vulnerability in this process, and not minimize how hard participating in a hearing can be for survivors. “I mean, you aren’t *required* to participate by the policy,” I started. “How, and if, you do is up to you. But if you aren’t there, that means his voice is the only one that’s heard. It doesn’t necessarily mean the findings will change, but it could impact the decision.”

“So, it doesn’t feel like I really have a choice,” Maddy looked me in the eye. I pursed my lips and let a big breath out my nose. “I mean, yeah... Essentially, you’re there to bear witness. Your presence reminds the hearing board that a *person* was harmed, that his actions had a real impact. It’s not fair. And it’s definitely not easy. But if I’m being honest, that’s what I think is your role in the hearing.” This felt risky

to say. I was a fairly new advocate, coming to this role as an academic who has extensively read critical feminist and legal scholarship. Was a systemic critique appropriate in my new professional role? I was unsure how Maddy would take my frankness, but I figured the only way to build rapport was by sharing a piece of myself in that moment.

Maddy's shoulders softened, and her gaze momentarily dropped from mine. "Thank you for saying that," she responded. "I feel like everyone just keeps talking about the policy and process. It's like I'm not a real person who's going through it."

This conversation anchored Maddy's and my relationship. It built a foundation of mutual trust and vulnerability. It served as a promise that I wouldn't sidestep around acknowledging the challenges of Title IX as I supported her in that process, and it also demonstrated that I was behind Maddy no matter how she chose to engage. Being Maddy's advocate meant that I was there to hold space for her feelings – be they anger, distress, or emotional detachment – and would not take it personally when she pushed back. It also meant that we would together quickly learn the intricacies of Title IX policy and student conduct adjudication as Maddy sought institutional remedy for her experience of harm on campus.

Situating Title IX

Title IX is a federal civil rights law, implemented in 1972, that prohibits sex- or gender-based discrimination in education programs. The law states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be

denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” Title IX offices on college campuses therefore are responsible for ensuring compliance with the law, and that compliance is enforced federally by the Office of Civil Rights (OCR). The framework of compliance – and liability or potential loss of funding due to noncompliance – shapes the legalistic approach of Title IX.

While Title IX was initially written and applied to ensure equal funding for women’s sports, sexual violence and sexual harassment have become the primary complaints that Title IX offices are responsible for addressing.¹ For the purposes of my research and analysis in this chapter, when I refer to the Title IX process, I am specifically focusing on its oversight of sexual violence and sexual harassment, even though Title IX rules have broader purview over sex-based and gender-based discrimination. In 2011, the Department of Education under President Obama signed a “Dear Colleague Letter” (Ali 2011), which provided guidance that explicitly situated sexual harassment – including sexual violence – as a form of sex discrimination under Title IX. The “Dear Colleague Letter” emphasized student-on-student harassment and detailed several of schools’ responsibilities, including requirements to have a Title IX Officer, create fair grievance procedures, and remedy the effects of discrimination on complainants. At UCSC, Title IX frequently described their office’s charge as threefold: “to *stop*, *remedy*, and *prevent*” sexual violence and sexual harassment.

¹ For a fuller history, see the Introduction.

As I show in the Introduction, the Dear Colleague letter led to a vast expansion of survivors' rights to report and seek remedy on campuses over the next decade. Yet, at the same time, pushback emerged from men's rights activists concerned that responsibility was being taken too far. Over the past decade, OCR investigations into grievances filed primarily by survivors, and case law outcomes from lawsuits filed primarily by respondents, have led to further codification of campus policies and procedures such that Title IX investigation and adjudication processes have since increasingly come to mirror the criminal legal system. Opposition to the sexual harassment mandate of Title IX led the Department of Education (DOE) under Betsy DeVos and the Trump administration to rescind the "Dear Colleague Letter" in 2017.² The DOE proposed new federal regulations that sought to limit the jurisdiction of Title IX and codify due process rights for respondents into adjudication procedures that increasingly mirror the criminal justice process. Despite thousands of statements of concern filed in the Federal Register by lawyers, university administrators, students, and survivor organizations,³ those regulations were implemented three years later in 2020. The 2020 DOE regulations, which at the time of my writing in 2023 are still current, limit Title IX's jurisdiction to campus property or programs, narrow the definition of sexual harassment, and

² Though sexual violence and harassment procedures have not been the only target of opposition that came up in public comments and hearings about proposed Title IX rules since 2017. Reading through submitted letters and transcripts from open forums, there were many very troubling and transphobic statements about gender equity in relation to bathrooms on campus and participation in sports.

³ There were 124,196 comments submitted to the proposed rules, including a letter that I co-authored with graduate and undergraduate student members of the Student Advisory Board to the UC Systemwide Title IX Office, which is available on the Federal Register here: <https://www.regulations.gov/comment/ED-2018-OCR-0064-31080>.

require a live hearing with direct cross examination by the parties’ advisors. Title IX practice has now become enmeshed in state and federal law that are sometimes contradictory and extend along partisan political lines.

My research marks a particularly chaotic moment of transition in Title IX law, during the years in which new federal regulations were proposed and implemented, OCR investigations into hundreds of universities were being completed,⁴ and state and case law in California were intervening into universities’ Title IX procedures. The case study offered in this chapter illustrates a moment in time that may currently be outdated as federal Title IX regulations have been stable for three years (from August 2020 – August 2023). While that is not to say that there is public consensus about how Title IX should operate on university campuses, I would expect more consistent implementation today without such a rapid succession of interim policy changes and newly created staff roles.

Much of the critique of Title IX’s legalism – from both sides of the political divide – centers on the investigation process. Public discourse around Title IX commonly suggests that universities have in essence become “kangaroo courts” and that matters of sexual assault should be handled by the police rather than the school. While the ways in which adjudication processes are coming to mirror the legal system cannot be denied, such discourses ignore the fact that campus and legal processes serve very different purposes. First, investigations are overrepresented in the public imagination and critique of Title IX. I intentionally reproduce this representation in

⁴ As I discussed in the Introduction; see pages 20-21.

the case study detailed in this chapter in order to make visible the tensions between discourse and practice in this form of remedy by centering a survivor's experience. While investigating complaints is an important part of what Title IX offices do, it is not the only direction that a report may lead (and also, of course, reports often lead "nowhere" [see Ahmed 2021]). In an ideal scenario, when a report is made and the complainant chooses to engage with the Title IX office, there are both formal and informal options for remedy. The formal options are available when the alleged misconduct meets a *prima facie* standard, meaning that if the allegation is taken "on its face" to be true, it would constitute a policy violation. Investigation is one formal process; the other is Alternative Resolution (AR). Alternative Resolution is somewhat akin to mediation, where a complainant proposes terms, and the respondent can accept, reject, or counter. The AR procedures at the University of California were codified for the first time in the 2019 SVSH policy revisions. Significantly, an AR does not make a determination about responsibility, so there are no disciplinary sanctions imposed. Rather the goals are often around fostering safety, education, and accountability for harm. If a complaint does not meet the *prima facie* standard, or if the complainant elects not to move forward with a formal process, there are also a number of supportive measures and informal actions the Title IX office can take, including implementing "No Contact Directives," providing academic, workplace, or housing accommodations for the complainant, holding educational conversations with the respondent, or otherwise facilitating access to campus programs.

Second, should there be an investigation, a school does not find the respondent “guilty,” and in fact language such as “guilt” and “innocence” is very carefully avoided in campus policies, processes, and trainings. Rather, the purpose of a Title IX investigation is to determine whether the university’s policies have been violated, and if they were, to enact discipline and provide remedy. Thus, a respondent may be found “responsible” for violating the policy, but the school’s purview over how to address sanctions is limited to the respondent’s university status (either over enrollments for students, or over employment for staff and faculty). In my conversations with friends and family members outside the university, I have often heard the assumption that schools are making legal decisions in place of courts, or even that Title IX offices work closely with police to coordinate a criminal case, a scenario which simply does not occur.⁵

The common public discourse that suggests courts, not universities, should be the site for addressing sexual violence on campus also overlooks that fact that the legal system repeatedly fails survivors and in many cases is not a viable option. This failure happens at every stage of the process, from disbelieving reports, blaming victims, mishandling evidence,⁶ refusing to prosecute cases, and letting perpetrators

⁵ Title IX and civil or criminal cases not only are separate, they do not coordinate. While Title IX reports de-identified reporting data and timely notices to UCPD under Clery, there is no sharing of evidence, no coordination of interviews, and no collaboration between Title IX staff and police for investigative purposes. A survivor can ask Title IX to delay launching a process so that police could enact evidence gathering practices such as a pre-text call before a respondent was notified, but the onus would be on the individual survivor to manage that timeline. Thus, if a survivor were to engage both processes, they would have to go through an investigation twice. It’s also worth noting that the criminal process timeline is far longer than that afforded by Title IX policy.

⁶ Specifically, the mishandling of sexual assault kits and forensic evidence through improper storage, not sending to testing, and mislabeling kits has been highlighted as a national problem over the past decade (and Santa Cruz County is not immune). Organizations like End the Backlog have focused on

off with minimal punishment in the very few cases that ever make it to sentencing. According to the Rape, Abuse, and Incest National Network (RAINN), for all estimated sexual assault cases, only 31% are reported to police, 5% lead to an arrest, and 2.8% result in a felony conviction.⁷ There are compounding factors that influence low reporting. Survivors face many barriers to reporting, and participating in a process can itself be traumatizing. Jail time for a perpetrator is not always the desired goal or outcome for survivors.

Additionally, how a crime is defined under law or under policy enables or forecloses certain potentialities for survivors to seek justice through the legal system in the first place. The law codifies certain acts as sexual assault. By naming or giving language to certain experiences of violation, the law produces options for remedy. As just one example, California became the first state to outlaw “stealthing,” or the non-consensual or covert removal of a condom during sex, in October 2021, which now enables survivors to seek damages under the Civil Code that were not previously available. However, those definitions can also create silences and exclusions. If an act does not fall within the parameters of those legal definitions, then remedy becomes unavailable from the outset. For instance, under the UC’s SVSH policy, relationship violence is defined as conduct that is physical or includes threats of physical harm;

transparency and policy advocacy to get sexual assault kits tested. There is a lot more to be said about the unavailability of even getting a sexual assault forensic exam in Santa Cruz over the past decade, which I don’t have space to unpack here.

⁷ Found at: <https://www.rainn.org/statistics/criminal-justice-system>. These statistics are drawn from reports by the Department of Justice and FBI. I also want to note that this data refers only to those instances that would be defined as rape or sexual assault under criminal law and therefore exclude the various other forms of sexual violation people experience, which I suspect would have even lower reporting and prosecution rates due to the limitations of criminal definitions.

therefore, emotional, psychological, or financial abuse will not meet the *prima facie* standard under the policy and cannot be remedied through a formal process.

In this context of legal constraint, Title IX can be situated as an alternative to the criminal justice system, one that may be more accessible for survivors.⁸ As an administrative process, not a criminal one, there are lower standards of evidence,⁹ and university policies about prohibited conduct may be more robust than narrow definitions under criminal law. Moreover, required training means that students, staff, and faculty are ostensibly educated about where and how to report. In one sense, Title IX can be understood as a community-level response to sexual violence, rather than a state-directed one.¹⁰ The university is responsible – legally, but also ethically – for addressing harm within its community. This means not only instituting measures of accountability for those who cause harm, but also remedying the impact on those who experience it. Of course, this ideal does not always play out in practice. Bureaucracy, legal convolution, and the threat of lawsuits structure Title IX processes in ways that can be opaque, traumatizing, and onerous for participants.

⁸ For another analysis of the differences between criminal and civil rights approaches to addressing sexual harassment, see Nancy Chi Cantalupo's legal discussion (2020).

⁹ The University of California uses a "preponderance of the evidence" standard for all violations of the SVSH policy, which means the determination is based on whether it is more likely than not that misconduct occurred. In contrast, the criminal legal system uses a standard of "beyond a reasonable doubt," which means there must be near certainty in finding someone guilty of a sex crime. This is an incredibly high bar, especially in systems that routinely seek to discredit survivors' testimony as evidence (e.g. [Matoesian 1993](#); [Mulla 2014](#)).

¹⁰ That is, if we understand the university as separate from the state, despite the funding and security apparatuses of public universities. See the Introduction for more.

*** (Constructing) What happened**

The specific events that brought Maddy to pursue a Title IX investigation occurred the previous October. Newly back to campus, Maddy and her roommate had been invited to a small gathering at an off-campus apartment by her classmate, John.¹¹ They downed a couple shots of vodka while getting ready, took an Uber into town, and continued to drink at the apartment. Maddy was having fun, dancing, and laughing as she would on any Friday night. Late in the evening, Maddy's perception became fuzzy, as did her memory of the night. She woke up the next morning partially unclothed on the couch in John's apartment. Maddy vaguely recalled a sexual encounter the previous night with John and immediately felt violated. The door down the hall to his shared room was ajar, but Maddy didn't see or speak to anyone in the apartment that morning. She saw an unopened condom on the end table next to the couch. She quickly gathered her things, called an Uber, and went home.

When Maddy talked to her roommate and sorority sisters about what happened, they immediately recognized this experience as sexual assault. Maddy was partially blacked-out. The Title IX training that students are required to attend makes clear that an incapacitated person cannot consent, which Maddy's friends recognized

¹¹ John is an invented character. As a CARE advocate, my direct interactions with specific respondents in Title IX cases were limited to only the hearing, should there be one. But I learned a lot about them from my clients, from reading their statements in investigation reports and appeals, and from reading between the lines of their engagement in the process. I also learned about respondents more generally from statements they made publicly in lawsuits and on social media. If my writing of "John" throughout this case seems thin, one-sided, or even stereotypical, it is in part a result of the structural limitations of my role as a survivor advocate, in part a nod to dominant scripts of sexual violence as I discuss throughout this dissertation, and in part an ethical limitation around questions of informed consent (and lack thereof) in participant-observation. There may be valuable ethnographic work to be done on respondents' perspectives and experiences; that is not the objective of my study.

so they encouraged her to talk to the CARE office about her options. In the meantime, her sorority was concerned about the safety of their community. They knew John was a member of an organization on campus with which they often had social events. One sorority member told Maddy that she had heard other girls¹² warn about John through the “whisper network,” a common means among women on college campuses for sharing information intended to keep them safe from predatory sexual behaviors. Maddy cited this as a primary reason why she ultimately decided to pursue a Title IX investigation. She wanted some sort of accountability for the harm that she experienced, but more importantly she wanted to make sure that John did not do the same thing to anyone else again.

Let me pause. I am able to write this narrative of what happened not because I was there, nor because Maddy told me,¹³ but because I had access to a set of bureaucratic documents, such as the Title IX investigation report and the former Advocate’s case notes, and because this event was partially re-narrated during the hearing. I want to be clear that this is a reconstruction shaped through the ethnographic authority (Clifford 1983) – and ethnographic refusal (Simpson 2007) –

¹² I use this term not to infantilize college-aged women nor to exclude the experiences of gender nonconforming students in Greek organizations, but rather to mirror the language that I frequently heard sorority members use to describe their community in my client advocacy and my educational interactions with Greek life. While there are co-ed fraternities, and student organizations at UCSC tend to be inclusive of gender diversity, the overall framework of Greek membership – and particularly for social, rather than professional and cultural organizations – still tends to rely on a gender binary.

¹³ Also, remember, Maddy is not a single individual. But I would say in general as an Advocate I rarely asked survivors to tell me in any detail about what happened. Particularly for those who I was assigned to work with after they had already met with a different advocate or engaged in a Title IX process, I used other case notes, documents, or case management meetings with other staff to learn about the client’s situation, rather than requiring them to share their story again to catch me up. I tried to let survivors decide when, what, and how much to share with me.

of my writing. There is much that I am choosing to leave unsaid, based on a what I think you (dear reader) need to know and what will provide the most care to “Maddy,” or any survivor who reports their experience. By taking care through my writing, I mean preserving confidentiality, resisting a tendency to reproduce a “pornography of violence” (e.g. Spillers 1987; Theidon 2012), and giving survivors as much autonomy as possible over their own narratives, while still following survivors’ impulse to foster belonging and safety through sharing their stories.

Reading Title IX case documents, and specifically the investigation report, was one of the hardest parts of my job as a CARE advocate. There were a handful of Title IX cases that I entered in the middle – either because of the newness of my position, because the complainant decided later that they wanted CARE support, or because the survivor requested a different CARE advocate.^{14,15} As with Maddy, the investigation report was my first introduction not only to her *case* and what had occurred thus far in the process, but to *her*. Investigation reports are lengthy

¹⁴ A note on language: I am switching between the terms complainant and survivor intentionally here. While they may refer to the same person, these terms are not interchangeable. Complainant indexes the lens of university policy and engagement with the Title IX office. The legalistic terms of “complainant” and “respondent” in the UC’s SVSH Policy are designed as if to be neutral; they reference the role of the party in relation to the complaint, rather than an experience of or relationship to violence. Survivor is generally the term used by the CARE office, though Advocates tried to mirror language that clients used to describe themselves and recognized “survivor” was not a relevant descriptor for everyone. CARE’s scope of services was for survivor support broadly and was more expansive than just supporting complainants in their engagement with Title IX.

¹⁵ While CARE did try to maintain continuity and repair relationships between survivors and a primary advocate, it did occasionally happen that an Advocate would be reassigned either based on office need or at the survivor’s request. There are many individual and personal reasons why this might happen, including the survivor not feeling the right interconnection with their advocate, the survivor feeling like their advocate had somehow not met their needs, an identified conflict of interest with an advocate supporting friends or parties in one case, or (most commonly) because of staff turnover in the CARE office. Switching advocates was made even more possible for survivors during the 2019-2020 academic year, when the office had two full-time Advocates for the first time.

documents¹⁶ that contain detailed descriptions of what the investigator learned about the experience from the complainant, the respondent, any witnesses they interviewed, and any evidence that was submitted, as well as their analysis of any “facts” they collected through that process. To make a determination about whether misconduct occurred, investigators have to ask specific questions about the sexual encounter, which are then written into the report. As Greg Mateosian writes about the process of cross-examination in rape trials, the investigation report similarly reproduces assault as a “pornographic vignette” (Mateosian 1993). How were bodies positioned? Who removed whose underwear? What was said? Who initiated certain actions, and how? How could you tell if the other was aroused? Such sensory and experiential details are necessary from the investigator’s perspective because they figure into the production of *consent* as the line that demarcates sex from sexual assault. And yet, it’s disorienting to read such intimate descriptions of another’s body in a step-by-step play of a sexual encounter. Reading itself feels like a violation. It’s also troubling to read (at least) two different versions of that event, often one that is narrated as harm and the other as arousal. The second is a version I refuse to reproduce or share in my telling of this case.

Let me be explicit about some of narrative decisions I am making in writing this case. First, the overall shape of sexual assault here is one that occurred in a party or social setting where alcohol was involved. This is a common aspect of sexual violence and one that is often scripted into public representations of sexual assault on

¹⁶ Sometimes hundreds of pages long.

college campuses. The social texts that contribute to such public discourses and assumptions – including cases that have gained national attention in public media, documentary films like *The Hunting Ground* (Dick et al. 2016), John Krakauer’s popular book *Missoula* (2015), and even academic scholarship (e.g. Armstrong and Hamilton 2015; Sanday 1990) – sensationalize the university as a site of predation where men (particularly those embedded in masculine social spaces like fraternities and athletics) use alcohol to take advantage of naïve and unsuspecting young women. I want to resist the overdetermination of this representation, while at the same time to make visible the real patterns of survivors’ experiences on campus where party situations facilitate power imbalances and experiences of violation. Recent social media activism has brought attention to how a widespread culture of gendered and sexual violence is enabled by fraternities, including at UCSC which does not even have sanctioned fraternity houses or as entrenched of a Greek Life culture as many other campuses. An influential recent book based on empirical research at Columbia University, *Sexual Citizens* (J. Hirsch and Khan 2020), analyzes the “sexual geographies” of campus life, where control of party spaces (particularly by fraternities and upper-class men who live off campus) form the conditions of possibility for sexual violence. This is a dynamic of power, one that is in reality much messier than the dominant narrative of “predatory men” and “innocent women.”

At the same time, I find it important to acknowledge the role of alcohol in sexual assault cases. While data varies, the Campus Sexual Assault Study suggests that at least 50% of sexual assaults on college campuses involve alcohol (Krebs

2005), and at UCSC more than 75% of sexual assault cases investigated by the Title IX office involve alcohol consumption by either party (and usually by both).¹⁷ In naming this correlation, I want to be clear that drinking alcohol does not necessarily cause sexual assault – though it does legally define an (in)ability to consent at the limit of incapacitation – and also that no one ever deserves to be violated regardless of whether they have been drinking or partying.

Another narrative decision I want to make visible is that I have produced Maddy as a white, cisgender woman whose experience of violence occurred in a heterosexual encounter. While I could have “flipped the script” (Carr 2011) and narrated a case that involved a gender-nonbinary survivor, a woman of color survivor, a male survivor, or a same-gender or queer encounter (all of whom we did support in the CARE office), here I hope to draw attention to the gendered and raced ways that experiences of sexual violence get reported to and taken up by the Title IX office. Whiteness is centered in this case because it is *central*; race is not unmarked, but rather forms the condition of possibility for reporting and turning to an administrative or legalistic system for protection, redress, or justice. In general, white students – particularly those who followed a “traditional” college trajectory, were of a class background that was not first generation, and who did not have other marginalized identities per their gender, sexuality, or ability – are more likely to feel a sense of

¹⁷ According to Title IX’s annual impact reports, 78% of sexual assault cases in the 2018-2019 academic year involved alcohol, and 86% did in the 2019-2020 academic year. All published reports can be found on the Title IX website here: <https://titleix.ucsc.edu/about/data/index.html>.

entitlement as to being at the university and hold the expectation that the institution is made to serve them.¹⁸

While of course survivors of color did also choose to participate in a Title IX process, and many white survivors chose not to, I commonly heard survivors of color share that they did not believe the institution was committed to their best interests, or they did not see their experiences reflected in dominant discourses about sexual violence or sexual harassment on campus.¹⁹ Aliyah, a black woman who was a senior and a student staff on campus at the time of our interview, told me that she experienced regular objectification and repeated sexualization throughout her four years on campus.²⁰ However, she did not report any of these to the Title IX office because she did not feel they were the types of experiences that Title IX would pursue. As a “responsible employee,” Aliyah did, however, have to report to the Title IX office when her friends or residents disclosed their own experiences to her. Aliyah’s opinion was that Title IX regularly did not express care, did not follow up, and otherwise failed the peers she was supporting, so she did not trust that the university really cared about sexual violence other than to protect the institution’s interests. Relatedly, survivors who were not cis-women (including men, trans, and gender nonbinary students) expressed facing internalized shame and stigmas that

¹⁸ This is also true of respondents in Title IX cases, and it is especially evident in the way that white male respondents like the archetype of “John” fought back in appeals and lawsuits to being held responsible and facing any sort of discipline.

¹⁹ Of course, this is not always the case, and I will discuss the ways that sexual violence is scripted in another section. One case that I will illustrate is Farah’s, who was an international student of South Asian descent.

²⁰ We will hear more about Aliyah’s experience in Chapter Two.

served as a barrier to reporting or even seeking support services from CARE. The intersections of gender, race, and sexual identity therefore shape both the experience of violence and the decisions survivors make to seek support, healing, and justice.

*** The investigation**

Within a couple weeks of her incident with John, Maddy's anxiety was impacting her daily life. She told her RA that she had recently had a bad experience at a party and needed some support. Her RA told Maddy had a responsibility to report any situations involving sexual violence to the Title IX office and encouraged Maddy to connect with the CARE office so she could talk with someone confidentially.²¹ Shortly after, Maddy went with her CARE Advocate to make her report to Title IX. They sat with Eva, an Investigator in the Title IX Office, in windowless room in the basement of Kerr Hall, where Maddy briefly narrated the events that occurred at John's apartment. Maddy's first meeting with Title IX was an initial assessment, where Eva took her report and determined whether the office had jurisdiction to address it. When Title IX receives a report, there are a few directions it can go: from supportive measures, to alternative resolution, to investigation, or even to no response. For any formal action to be taken by the Title IX office, the allegation must

²¹ The responsible employee obligations written into the UC's SVSH policy obligates staff who learn of sexual violence or harassment involving students in the capacity of their employment to report what they know to the Title IX office. This policy was very controversial and a point of contention specifically among graduate students and some faculty and staff because it was seen as taking agency away from survivors on whether they wanted to report to Title IX and foreclosed opportunities for providing care. However, responsible employees are critical for Title IX's operations to respond to harm on campus, as the vast majority of reports they receive come from mandated reports rather than directly from those impacted. I discuss this reporting policy further in Chapter 2.

meet a *prima facie* standard. This means that if the complaint is taken “on its face” to be true, the respondent’s conduct would be a violation of the UC Sexual Violence and Sexual Harassment Policy. Maddy had been drinking, her memory was fuzzy, and she did not have full awareness of or control over her body. She also stated she would not have sex without protection and did not intend to have sex with John when she went to his apartment. For these reasons, Eva could charge the case as an alleged violation through the act of “sexual assault – penetration” under the condition that, per the policy, if Maddy was incapacitated, she could not give affirmative consent.

Maddy asked if the office had received other reports regarding John. She would feel more comfortable proceeding with formal action if she did not have to go through a case alone. Eva shared that even if there were other reports, they would not necessarily be consolidated into one case, and she couldn’t guarantee that others would join as complainants. Maddy asked for a break and consulted with her CARE Advocate. While Maddy felt apprehensive, she also felt responsible for stopping John from doing this again. A week later, Maddy followed up with Title IX and confirmed that she wanted to proceed with an investigation. A Notice of Investigation and charge letter was sent to both her and John in early November. Once the investigation commenced, a No Contact Directive (NCD) was issued to both Maddy and John.

Maddy’s first formal interview with Eva occurred a couple weeks later before Thanksgiving in November 2018. She returned to the Title IX office in Kerr Hall and was accompanied by her CARE Advocate. This meeting was much longer. Eva explained that as much sensory detail as Maddy could give, the more it would enrich

the investigation. She said it was okay if Maddy couldn't remember everything. She would ask probing questions, not because she didn't believe Maddy she said, but to try to understand a full picture of what happened. Still, this was a discomfoting process. Maddy was 19. She had previous sexual experiences, and she and her friends talked generally about their hookups, but she was not prepared to talk through details of her assault with an adult staff member who she didn't even know, especially since what happened was not fully clear in her memory.²² Maddy stumbled through the interview, qualifying her recollection with phrases like, "*I think* we were on the couch" and "*I wouldn't have wanted* him to do that to me." She didn't want to seem too sure about events that were hazy, lest her memory be refuted; however, she was firm that she was very drunk, which – as she understood – meant she could not consent. After Maddy's interview, Eva said she would follow up with John, Maddy's roommate, and any other witnesses who were deemed relevant to the case.

Maddy finished the Fall quarter without hearing anything further about her investigation. She went home to San Diego for the holiday break, but she did not tell her parents about her assault or her engagement with Title IX. When she returned to campus for the Winter quarter in January, she was apprehensive. She received one email from the Title IX office with a general case update that the investigation was

²² I want to sit with just how uncomfortable this is for a young adult to have to bear the most intimate details about sex and violation to a campus staff member they don't know. This requirement of disclosure is a huge barrier to reporting or participating in an investigation. Complainants are expected to be willing to share everything with the investigator. Title IX staff may or may not have legal training in trauma-informed interviewing (there is a systemwide requirement for Title IX staff to undergo trauma-informed training, but I saw that this was not always completed), so the question-asking process is also sometimes more invasive or sensitive than others.

still gathering evidence.²³ Under the SVSH policy at the time, the investigation phase was allotted 60 business days to be completed – which translates to roughly three months with added time for holidays and campus closures. In early March 2019, Maddy received notice of a “just cause” extension for evidence gathering due to an upcoming revision to the policy that was broadening the investigation timeline to 90 days,²⁴ and she was asked to come in for a second interview. At the same time, Maddy’s Advocate had recently left the CARE office, so she went to meet with Eva alone the week before Winter finals. Again, she was asked probing questions about what happened from first texting with John to waking up the next morning, how much she’d had to drink, who she talked to after, and what she told others. Eva asked if Maddy had been in contact with John or discussing the case. Maddy shared that her sorority decided not to hold social events with John’s organization, and that they had “blacklisted” him from attending any of their socials, but she had not reached out to him directly. Eva advised Maddy of the private and sensitive nature of the allegation and reminded her of the NCD.²⁵ While blacklisting John was not officially considered a violation of the NCD and there was no discipline enacted, Maddy felt like this

²³ It was a common practice in the Title IX office to send monthly “update” emails to all parties involved in a Title IX investigation or Alternative Resolution.

²⁴ Interim revisions to the SVSH policy and to Appendix E were implemented in March 2019. These revisions were in response to an Office of Civil Rights investigation at UC Berkeley and a broader systemwide review since it had been four years since the policy was first implemented. In the revisions, the investigation timeline was broadened to “60 to 90 business days,” as most UC campuses were not achieving the 60-day timeframe anyway.

²⁵ The FAQs on the SVSH Policy (see section VII.6.) state that: “The Complainant and Respondent . . . should not be restricted from discussing the allegations or gathering evidence (provided their conduct is not Retaliation as defined in Section II), or from further disclosing information about outcomes.” However, in practice with NCDs that are mutual, this was frequently messier than written, and survivors did face warnings or potential discipline from publicly sharing information about or naming their perpetrator, whether in mutual friend groups or on social media.

conversation was a warning and that she was being silenced.²⁶ Maddy was shaken and had a hard time completing her finals. Her grades suffered that quarter, and she felt that her mental health was deteriorating. She was connected to the trauma-focused therapist in the CAPS office and joined a survivor support group.

In April, Maddy was notified that the investigation was closing, and it was now time for both parties to review the evidence. She received this notice on a Tuesday at 4pm; she would have only until the end of day Friday to respond.²⁷ This short timeframe was stressful; Maddy's first midterm papers were to be due the following week. It was commonly known in the CARE office that Evidence Review – the stage where the investigator first shares all the statements, interview notes, and evidence that will be relied on in their analysis – is one of the hardest parts of the investigation process for survivors. Reviewing the case evidence was often retraumatizing because it put the survivor in the position of reliving their experience, and it is their first introduction to how the person who caused them harm was responding to their complaint. Denial becomes visible. The disjuncture between complainant and respondent statements can lead survivors to question their own

²⁶ I'd like to consider the politics of visibility that are wrapped up in the Title IX process. On the one hand, making a report makes an experience of harm visible or knowable to the university. Yet at the same time, because of privacy and due process rights within an investigative process, the report then invisibilizes the allegation as complainants are expected not to discuss details of the case with others. This process of obscuring a complaint is particularly stark when employment rights are involved (faculty or staff respondents), or when there are broader community impacts. Sara Ahmed's book, *Complaint (2021)*, also points to this process of making complaints invisible.

²⁷ Appendix E of the SVSH Policy, which details the Student Adjudication Framework, clarifies the right to review and respond to the evidence. Section IV.E. states: "The Title IX Officer will designate a reasonable time for this review and response by the parties that, absent good cause found by the Title IX Officer, will not exceed 5 business days." On UCSC's campus, it was common practice to give 3 business days for evidence review. Parties could request an extension, which was not always made clear to them in the notice.

memory or sense of reality. Once in a meeting, Maddy asked me if I was familiar with the term *dissociation*. It was a word she recently learned in a class, and it helped her to make sense of the ways she felt detached from her body and her memories as she was going through the Title IX process. The sense Maddy articulated that she didn't feel like a *person* going through the process is produced (in part) through the language of the investigation, through reading descriptions of her body and her behavior from others' statements in the report.

The Evidence Review notice contained a link to a secure FileLocker folder with dozens of pages of interview notes, screenshots of text and Snapchat messages, and photos.²⁸ It was there that Maddy learned John had also been interviewed twice. The first time, his statement generally confirmed that they had sex; he said that “one thing led to another” and they both had been drinking. The second time, he was accompanied by an attorney. This version of events had changed. There, he was adamant that he asked Maddy explicitly if she wanted to have sex and he heard her say “yes,” that he did not think she had had much to drink, and that nothing was said about using protection. Maddy felt sick to her stomach. She commented on the document that her saying “yes” was not true. Two weeks later, Maddy received the Investigation Report, where she again read these statements and the investigator's analysis. Eva determined that John violated the policy. Due to the inconsistency in John's statements, the investigation found Maddy's version of events regarding most

²⁸ Note that this folder will contain all files submitted by any party, but does not put them into context as to what evidence is being considered or what is deemed not relevant by the investigator.

“disputed facts” to be more credible. This was a relief. More than six months after the investigation was initiated, Maddy felt validated John was found responsible and was ready to put this interaction with the Title IX office behind her. Unfortunately, this was not yet the end of her case.

Credibility

The question of credibility is at the contested center of most Title IX cases. Credibility is a legal determination of whether a witness’s (or parties’) testimony should be believed. Credibility is a question of truth, or at least of its perception. Credibility is a formation of gendered power. Who is determined to have credibility shapes the narrative of what happened. Sexual assault cases are often generally described as “he said, she said” cases, which is meant to dismiss survivors’ allegations or explain why there isn’t enough evidence to prosecute a case or find responsibility. Testimony is frequently one of the most important sources of evidence in sexual violence cases, even as it is a source that is consistently deprivileged. As Sameena Mulla’s (2014) ethnographic study with forensic nurse examiners in New York shows, the juridical context in the United States privileges DNA and forensic evidence as that which makes crime visible on the gendered body. Should a case go to a criminal trial, the survivor becomes a witness, who testifies to this evidence as though separate from their body. Mulla suggests that collapsing forensic evidence gathering and medical treatment after assault into a single examination engenders the “violence of care.” As such, violence is reproduced through the structural conditions

that objectify women’s bodies and compel medical and legal professionals to discount survivors’ narratives. This *discrediting* is enacted in gendered and racial ways in the clinic as well as the courtroom.

As an advocate, I attended a training hosted by Title IX staff on how credibility is assessed in investigations. They described credibility as a reasoned determination of the inherent plausibility of a party’s statements, considered in combination with corroborating evidence, the timeline of events, a party’s motivation to omit details, and whether knowledge of the events described is first-hand. To be able to properly assess credibility, an investigator should be able to see and hear from the party directly – so as to make sure their statements aren’t being coerced – which is why phone interviews are generally discouraged.²⁹ This assessment is written up in the report both explicitly and implicitly. Investigators note when they were able to assess for credibility with in-person or video interviews, and they discuss why they found one party’s version of events in relation to disputed facts more credible (or more likely than not to be true).³⁰

While credibility is often described by legal practitioners as a neutral and unbiased assessment, it isn’t, and in fact the legalistic deployment of credibility can serve to discredit complainants. Discussions of credibility have an affective toll that reproduced harm through the investigatory process. In the investigation report at the top of the section discussing parties’ statements, there is typically standard language

²⁹ See Title IX training materials and “PACAOS Appendix E and F Guidance” document on UCOP’s website: <https://www.ucop.edu/title-ix/resources/svsh-training-and-materials/index.html>.

³⁰ See October 2021 “Investigation Process” video on the UCOP Title IX website: <https://www.ucop.edu/title-ix/resources/svsh-training-and-materials/index.html>.

that states: “I interviewed complainant in my office and was able to properly assess credibility.” Framing the witness statement in this way – where the assessment of credibility is foregrounded – often raised concern from complainants, as they read this notation as a moral or emotional judgment. It caused Maddy to reflect back on her interview and to question whether any distress she may have shown – or, on the flip side, whether not showing enough distress³¹ – shaped any of the analysis that followed. After feedback from CARE Advocates about this framing, Title IX investigators changed their practice to footnote their mention of being able to see and assess for credibility, rather than it being the first sentence in the report’s discussion of the complainant’s statement. This citational practice still meets the legal requirement of notation, and even though it is a minor textual change, it had a significant impact on how complainants read themselves in the report.

Beyond the investigation report, credibility ultimately shapes the hearing and appeal process, as credibility becomes a central area on which respondents focus³² – either in attempts to discredit the complainant or to argue for bias in the investigation, or both. Even though Title IX hearings are an administrative process, they are often understood, and even positioned, as akin to a legal process dependent on courtroom proceedings precisely because of the ways that federal and state guidance have made Title IX more legalistic and more adversarial over the last few years. The role of an advisor is distinct from that of an attorney, but campuses (including UCSC) have seen

³¹ See Farah’s case in Chapter Two.

³² Particularly those receiving counsel from defense attorneys.

an increasing turn to defense attorneys from respondents. This shapes the overall framing and experience of a hearing, as the questions that are posed aim to situate the complainant and other witnesses as not credible.³³

Despite recognizing the nuanced differences from a Title IX hearing, I find courtroom ethnographies productive for understanding the central role of language in the workings of legal power and in contestations over truth-making in the legalistic process of Title IX (J. M. Conley and O’Barr 2005; Ehrlich 2001; S. F. Hirsch 1998; Matoesian 1993; Merry 1990). As Lauren Berlant notes, “In the law, testimony has an instrumental purpose: it is evidence in an argument constructed by someone else, the prosecutor of the case” (2001, 48).³⁴ Rape and domestic violence trials have been a prominent site for scholars to examine how legal forms of knowledge produce and reproduce sociopolitical discourses of gender, sexuality, and race. Many criminal justice and sociological scholars have found that rape trials themselves reproduce harm for survivors of sexual violence (e.g. Campbell et al. 2001; Smart 1989) . Anthropological and legal scholars examine linguistic practices to see how consent and ideas about “real rape” (Estrich 1987; see also Sanday 1996) are discursively constructed. Questions asked by investigators and defense attorneys spectacularize and sexualize violence, constituting a “pornographic vignette” (Smart 1989, 39; see also Ehrlich 2001, 21; MacKinnon 1989) out of the trial. Despite “rape shield” laws in the U.S. that forbid a victim’s sexual history from being used as evidence, defense

³³ More on the role of an advisor below.

³⁴ This is one significant point of departure from Title IX cases, as the Advisor does *not* play the same role in constructing a case as is seen in the criminal legal system.

attorneys often find ways to introduce sexual history in cross examination to suggest immorality and consent (Ehrlich 2001; Matoesian 1993; Sanday 1996). Sociolinguist Susan Ehrlich (2001) reviews the transcripts of rape trials to examine how language is used to deflect the defendant's agency in perpetrating sexual assault, how questioning sequences contest the victim's resistance, and how acquaintance rape becomes framed as a problem of miscommunication or misunderstanding. This articulates with Eve Sedgwick's argument about how claims to ignorance reinforce masculine privilege:

The epistemological asymmetry of the laws that govern rape, for instance, privileges at the same time men and ignorance: inasmuch as it matters not at all what the raped woman perceives or wants just so long as the man raping her can claim not to have noticed (ignorance in which male sexuality receives careful education). And the rape machinery that is organized by this *epistemological privilege of unknowing* in turn keeps disproportionately under discipline, of course, women's larger ambitions to take more control over the terms of our own circulation (1993, 23–24, emphasis mine).

Jennifer Doyle (2019) has subsequently applied the “epistemological privilege of unknowing” to understand institutional power in Title IX, specifically the sexual harassment case against Larry Nassar, a Michigan State University and USA Gymnastics physician convicted of repeatedly sexually abusing at least 265 girls and young women. Taken together, these feminist legal analyses suggest that discursive gendered performances of the rape trial have material effects on adjudication.

Criminologist Greg Matoesian's *Reproducing Rape* (1993) offers a nuanced analysis of how language used during cross-examinations in rape trials reproduce patriarchal ideologies and institutionalize violence in the legal system. Matoesian

suggests that “rape is a form of [gendered] social power sanctioned by the state” (1993, 10). He uses conversation analysis to examine the microlinguistic practices defense attorneys invoke in their attempts to undermine the credibility of the victim-witness and to create a narrative that turns rape into consensual sex. These linguistic strategies include controlling the victim’s “turn size” (using silence, interruptions, and yes/no questions), controlling the topics, syntax, and objections, and introducing questions about prior sexual history. Conley and O’Barr analyze Matoesian’s study and suggest that the forms of linguistic power in the courtroom he identifies are not unique to rape trials, but are particularly pronounced in that setting: “A woman telling a story of physical domination by one man is subjected to linguistic domination by another. In this sense, revictimization is real, and its mechanism is linguistic” (2005, 32).³⁵ Matoesian’s linguistic analysis can be extended to the courtroom-like setting of a Title IX hearing, where the fact-finding process is contested in real-time and increasingly with the presence and strategies of defense attorneys. While Matoesian’s study relies on written court transcripts, and therefore misses the other performative aspects that can influence a jury,³⁶ this linguistic focus is still compelling. Particularly in the Title IX hearing, which does not have a jury but is only heard by one hearing

³⁵ Note that the assumption here is also that defense attorneys in rape trials are men. More recently, defendants in high profile criminal trials (including Kobe Bryant, R Kelly, and Harvey Weinstein) have specifically sought out women attorneys to make their defense seem more favorable and attacks on credibility more objective, a practice that can also shape respondents’ decisions about counsel in Title IX cases (see Borter 2020; Bozorgi 2021; Walsh 2021).

³⁶ Robin Conley Riner’s (2015) study of death penalty trials in Texas shows that inflection, affective disposition of the defendant, bodily movements, eye contact, and gestures significantly shape how a jury determines the sentence.

officer at UCSC³⁷ and which is often conducted over Zoom³⁸ where the opposing parties do not visually see each other, the linguistic mode of truth-making is centered in determinations of credibility.

* Pre-hearing preparation

After Maddy’s investigation report was completed, her case moved out³⁹ of the Title IX office and into the procedures of the Student Conduct office. For cases involving student respondents, it is not the Title IX investigators, but rather Student Conduct and Hearing staff who review the case, determine sanctions, oversee the hearing, and manage appeals, though the Title IX Office maintains oversight and ownership of the process. Specifically, student cases are adjudicated through the framework of “Appendix E” of the SVSH policy.⁴⁰ At the time of Maddy’s case, the adjudication framework shifted significantly from a “single-investigator model” to a “hearing model.” Effectively, what this means is that a hearing would happen unless the parties “opted out,” whereas the prior appeal format requires “opting in” to a hearing. While the overall flowchart of steps in the revised process appear parallel –

³⁷ Since mid-summer 2019. Prior to that, Title IX appeals hearings used a panel of staff members whose job was not specifically in Title IX, but other student and residential services.

³⁸ While participating in hearings remotely has been a possibility since the policy was implemented, and was often a choice that survivors took, under the new Appendix E established in 2020 hearings will now *only* be held remotely unless there is an accommodation need otherwise.

³⁹ It’s a little bit more complicated that this in practice with regards to the hearing. As Title IX procedures moved to a single Hearing Officer model instead of a board in summer 2019 and hired a full-time staff member, the Hearing Officer directly reports to the Title IX Officer; however, to maintain integrity of cases, they do not participate in all the regular activities and case management meetings with other Title IX staff.

⁴⁰ Following the UC’s implementation of new DOE regulations in summer 2020, parallel procedures are outlined under “Appendix F” for DOE-covered misconduct. Find current policy documents on UCOP’s Title IX website: <https://www.ucop.edu/title-ix/resources/index.html>.

since the investigator model provided the right to a hearing on appeal – the implications of these nuanced policy changes effectively expanded respondents’ rights and made the hearing process more onerous for complainants. Following case law, including *Doe vs. The University of Southern California* (2018) and later federal regulations implemented in August 2020, Title IX hearings are now situated as sites of *de novo* evidence gathering (also known as a “fact finding” hearing), where the facts of the investigation can be re-argued.

From April through July in 2019, Appendix E was revised three times. All three of those procedures were in effect during the same overlapping period, as the adjudication framework to be used in any case depends on when the misconduct occurred and when the investigation was completed. This caused a lot of confusion for staff overseeing the cases, as well as for complainants. At the close of Maddy’s investigation in June, “Interim Appendix E” was in effect, which meant her hearing was still on appeal (the “opt-in” model). However, by the time I was assigned to Maddy’s case, more robust policy and procedural revisions were implemented in July. This version was frequently referred to by campus staff and administrators at UCSC as “Appendix E 2.0.” In anticipation of more significant requirements at the federal level, the UC’s policy changes in “Appendix E 2.0” responded to state case law as narrowly as possible, making hearings a standard part of cases – unless the respondent explicitly opted out – only when the respondent could face disciplinary sanctions of suspension or expulsion. Proposed federal regulations that would make hearings the standard in all cases were under public comment and review at that time.

Those federal changes, which were implemented a year later in August 2020, would further expand respondents' due process rights within the hearing, including codifying an adversarial process of direct cross-examination for DOE-covered misconduct.⁴¹ Thus the hearing process since late 2020 may look quite different in current practice than outlined in this section below.

The notice of appeal that Maddy and I unpacked together in my office set into motion a series of “pre-hearing” events. This included meeting with the Hearing Coordinator and Hearing Officer to discuss the hearing process, parties' rights, any accommodation or support needs that might be anticipated, and the scope of the hearing. That last point is generally a tricky one and, in my experience as an Advocate, individual Hearing Officers defined and communicated the scope differently under the three different Appendix E frameworks.⁴² I accompanied Maddy to meet the Hearing Coordinator, Jenn, in a basement room in Porter College, below the dining hall. During the meeting, Jenn shared that the respondent was challenging

⁴¹ Note that attorney Lauren Bizier has argued in a Roger Williams University Law Review article that direct cross-examination is *not* required for universities to meet due-process rights of respondents and that cross-examination risks further re-traumatization for survivors (Bizier 2020).

⁴² There are a couple reasons for these differences. First, while policy changes have codified the hearing model as a part of adjudication in Appendix E through each iteration since July 2019, there are not procedural requirements around notifying complainants of the scope. Rather, this is somewhat open to individual interpretation and working style as to how or if to notify the parties. This stood in stark contrast to the first and Interim Appendix E frameworks, which used a “single-investigator” model where hearings were only on appeal. There are clear written notification requirements for determining the scope of an appeal. See a UCLA news post about the change to a hearing model: <https://equity.ucla.edu/news-and-events/ucop-shares-revised-sexual-violence-and-sexual-harassment-policy-and-implementing-procedures/>. Second, these policy changes coincided with a change in staffing. At the same time as Appendix E 2.0 was implemented, Title IX shifted to using a single Hearing Officer, whose is staff in the office and whose job duties are specifically focused on hearings, and a single coordinator from the Student Conduct office. Previously, hearings were decided by a panel of staff who were assigned ad hoc to serve on hearings and coordination. These included residential and housing staff, staff in identity-based resource centers, or other offices who do not have specialized knowledge about Title IX policies or procedures, or trauma-informed practices.

the credibility determination. “What exactly is being challenged though?” Maddy asked. “I already told the investigator everything that I can remember and gave them all the texts I had. I don’t have any more, like, evidence to prove it. I can ask my therapist for a letter?” Jenn assured Maddy that wouldn’t be necessary,⁴³ that the investigator’s work in the report would be reviewed carefully before the hearing, and that Maddy would not have to re-tell her statements about what happened. “The hearing itself can be quite slow, as the Hearing Officer will review case documents to determine relevance of any questions submitted. They should only ask you about points that need clarity from the report,” Jenn explained.

After this meeting, Maddy and I sat outside in the Porter quad to debrief. She looked exhausted. I reminded her that she was not required to participate in the hearing, but at this point she was determined. “I’ve been through so much already. If the finding is overturned, I know I’d blame myself for not doing everything I could. I feel like I have to see this through.” Maddy articulated the sense of responsibility she held – personally, in her view – to ensure accountability for John.

In our meeting with Jenn, we had agreed on a tentative date in mid-August. As it was summer, Maddy had plans to travel with her family to Hawaii in September before beginning the next school year. However, about a week later, Maddy was notified over email of an “administrative delay” as, per “Interim Appendix E,” the hearing could not be scheduled for sooner than two weeks after the pre-hearing

⁴³ Submitting any type of medical information can inadvertently open the door for all medical records, including from a mental health provider, to be subpoenaed. Therefore, it was generally discouraged that students submit any records that could open this possibility, and medical verification was typically not needed to meet a preponderance of the evidence standard anyway.

conference with each party. Jenn was having trouble scheduling with John and his lawyer, and therefore the hearing would have to wait until after Maddy's vacation. While most of the parts of the investigation and adjudication process detailed in Appendix E have strict timeline delineations, the phase between when a notice of hearing is sent and when the hearing happens is left open ended.⁴⁴ This means that scheduling a hearing is often an opportunity for strategic delay, particularly for respondents working with defense attorneys, and this phase tends to drag out the overall resolution of a Title IX process.

In my work as a survivor advocate, I came to understand this delay tactic as enacting several different goals. First, it pre-establishes antagonism as the central mode of engagement between the parties and the university. Defense attorneys who primarily work and were trained in a criminal legal system are accustomed to battling with state prosecutors over the rules of engagement (such as bargaining over potential plea deals and arguing over what evidence will be admitted), and this mode is brought into the Title IX hearing. Second, delays wear down the complainant, who has experienced not only interpersonal harm but also institutional harm in having to engage throughout the investigation. Third, as in Maddy and John's case, the timing of a hearing can impact when sanctions are applied. If the hearing could be pushed until after the start of the school year, John would be able to enroll in Fall even

⁴⁴ This is true in both the "Interim" framework where the hearing is on request by appeal, and in the subsequent hearing model frameworks (as well as Appendix F, implemented in August 2020 for conduct covered under the new Department of Education Regulations).

though a 2-year suspension was proposed by the Student Conduct office. Ultimately, their hearing was scheduled for October 2019, a full year after the incident.

Once a hearing date was set, Maddy and I began meeting twice a week to support her preparation and impact in the process. As the Fall quarter began, Maddy's full attention was on her Title IX case, rather than on her new courses. Complainants and respondents are supposed to submit any evidence not in the case file that they would like to present and questions they intend to ask to the Hearing Coordinator five business days before the hearing. Reminding her of Jenn's assurances in our meeting, I advised Maddy that she did not have to spend too much time crafting questions for John, witnesses, or the Title IX investigator. I explained that it was the university's responsibility to back-up their work in the investigation, not hers. Instead, I let Maddy talk through questions and concerns she had about the investigation or analysis in the report and about how the investigation impacted her while I took notes. I gave those notes to Maddy so she could start preparing her opening statement.

The opening statement is the only point in the process where a survivor has the floor to speak and be heard by both university staff and the person who caused them harm. It is often strategically used by survivors as akin to an "impact statement." Maddy took this statement very seriously and crafted a poignant speech. If her role was to bear witness, Maddy wanted to make visible that ways she was impacted not only that night in John's apartment, but also throughout the one-year aftermath that led up to the hearing.

The role of an advisor

Under the UC SVSH policy, both the complainant and the respondent have the right to an advisor who will provide guidance through the entire Title IX process. Title IX is meant to be student-driven (more below); thus, the advisor is not meant to provide counsel or advice on how the students should engage, but rather to help a complainant or respondent navigate the Title IX process (whether an investigation or Alternative Resolution), understand their rights and options, and provide support. Advisors can accompany the parties to interviews and hearings, be copied on all case messages and documents, and ask procedural questions, but they cannot speak on behalf of the parties throughout the investigation or adjudication processes. The university has designated specific staff positions who can serve as advisors, though parties can designate a different advisor and/or support person of their choosing.⁴⁵

The advisor's role became centered in national public discourse around the DOE regulations implemented in 2020. One significant measure that was codified in the new regulations is the requirement that direct cross-examination by the party's advisor be allowed in the hearing procedures. Whereas previously – and still in the parallel process for non-DOE covered misconduct in Appendix E at UC – any questions a respondent wants to ask during the hearing have to be filtered through the

⁴⁵ Until the federal DOE rules were changed and implemented in summer 2020, generally, but not always, CARE advocates served as the advisor for complainants. According to Title IX's Annual Report, in the 2019-2020 academic year CARE supported complainants in 77% of formal investigation processes (https://titleix.ucsc.edu/pdf/title-ix_2019-20_annual_report.pdf). However, with the policy changes that allow for direct cross examination by advisors in the hearing, UCSC has shifted to assigning a designated "question asker" to serve as the advisor during a hearing (unless the party has outside counsel) to protect confidentiality and professional boundaries for CARE advocates.

Hearing Officer; now under Appendix F for DOE-covered misconduct, an advisor (who may be a defense attorney trained in adversarial cross examination techniques) can speak to and ask questions of the complainant directly. This is not only intimidating, but it also necessarily establishes the hearing as a battleground where attacks on the complainant are naturalized, even though the complainant does not have the type of legal preparation that a state's witness would be given in a parallel criminal trial context. The direct question-asking also compromises the confidentiality and role of an advocate, such that CARE can no longer serve as a complainant's advisor in a hearing under Appendix F procedures. The UC has attempted to navigate this legal requirement without creating a situation where students have to de facto hire a lawyer; however, in so doing, UC's procedural guidance has inadvertently limited the advisory role to mere "question asker" in the space of the hearing. This takes away from the other robust support around ensuring transparency, advocating for procedural rights, and requesting breaks when needed that an advisor provides in the hearing. While no student cases had yet gone through this new hearing framework outline under Appendix F through the time I worked in the CARE office, how the advisory role ends up shaping the experience of the Title IX process in this new context warrants investigation in further research.

Regardless of who fills the advisory role for complainants, the advisor's role does not map neatly on to a prosecutor's role even as the Title IX process has become more legalistic, which places an exceptional burden on a complainant to make their own case. CARE Advocates took seriously the boundaries and limitations of their

professional role as advisors and not lawyers (as did the RSS Coordinator, from what I perceived in my interactions with four different staff members who filled that role during the time of my research). This means that we did not coach students on what to say during investigative interviews, write responses to evidence review, draft questions or their opening and closing statements for hearings, nor speak on behalf of our clients. Rather, CARE staff generally work to prepare survivors to advocate for their own rights and needs. When it comes to a hearing, the limitations of that advisory role often mean that students have to engage primarily on their own initiative. Unlike in a criminal trial, where the prosecution makes the state's case for what crime was committed and where the survivor is a witness, in a Title IX hearing the survivor is effectively expected to make their case with the university as a neutral arbiter. While complainants could in theory also hire legal representation to counsel them on the process, that is both cost-prohibitive and should be unnecessary for an administrative process. Moreover, external counsel often doesn't have the requisite expertise in a campus's specific Title IX policies and procedures to be able to provide detailed information about next steps and what to expect.⁴⁶ Additionally no matter who is serving as the advisor – whether an attorney, university staff member, or someone else – their professional background should not change the scope of the role.

⁴⁶ One notable exception is Equal Rights Advocates (ERA), a San Francisco based organization of lawyers and advocates to pursue gender justice in schools and workplaces. ERA contracts with volunteer attorneys to support and advise survivors in Title IX cases at their schools at no charge. ERA has positioned itself as a national leader in survivor rights by filing a lawsuit (along with three other organizations) against the direct cross examination component of the 2021 DOE Title IX rules.

However, despite the fact that the Title IX process is intended to be student-driven and educational, there has been an increasing turn to attorneys as advisors by respondents, a trend witnessed in the UC system and nationally, which has been driven at least in part by “men’s rights” organizing. The position of a respondent’s advisor aligns more closely with that of a defense attorney. When respondents at UCSC hired outside counsel, they typically turned to a select group of defense lawyers within the burgeoning field of Title IX law (for broader context, see also Porter, Levitsky, and Armstrong 2023; Roskin-Frazer 2023). Those lawyers frequently push boundaries in ways that are generally combative, delay timelines, and cause direct harm for survivors, such as writing invasive questions to attack the complainant’s credibility during the hearing. The increased reliance on attorneys has greatly contributed to the legalism and adversarial nature of Title IX hearings over the last decade. In particular, the threat of lawsuits (and successful enactment of them, as in *Doe v. University of Southern California* [2018]) has codified due process rights for respondents and formalized the boundaries of advisory support so that Title IX could remain neutral, or at least be positioned as such should the respondent sue.

In my personal experience as a CARE Advocate, I saw a shift in information sharing between Title IX and CARE staff around case support with the policy changes and increased reliance on legal counsel by respondents. While previously it was a regular practice for CARE Advocates to check in with Title IX investigators and Hearing Coordinators about case status so as to alleviate the burden of follow up on survivors, we began to experience resistance to such questions as being outside our

scope of “procedural clarification” and therefore needing to come from the complainant themselves. Justification for this shift in engagement can be understood as an attempt to treat the parties and their advisors equally and the same, especially in cases where outside lawyers are involved. However, I argue that this “sameness” approach obscures the disproportionate enactments of power and burdens that are experienced by complainants and respondents in the process, as well as undermines the collegial relationships among university administrative staff by privileging an adversarial mode of engagement.

*** The Hearing**

Maddy’s hearing was planned for a Thursday in October 2019. Maddy wanted to participate via Zoom with me in my office and had requested not to have to see John on the screen. The hearing was scheduled to run from 10am – 2pm, and we would get the login information by email a half hour before starting. The night before, I went to Safeway and bought an assortment of her favorite snacks, and I gathered an assortment of self-soothing items that the CARE office keeps for survivors, including an acupuncture ring, squish ball, coloring pencils, and lavender essential oils. The office stocked herbal tea and tissues, which I also brought to my office and set up next to the sofa lined with soft, pink pillows. This intentional material set-up formed part of the performance of care that I hoped would help Maddy feel supported in what was anticipated to be a difficult day, alongside my co-presence in the room.

Participating in a hearing is emotionally exhausting for everyone, though of course it affects each participant differently and differentially. For a complainant, the hearing is often traumatic. It requires them to be vulnerable by bearing witness in opening and closing statements, to relive harm they experienced both sexually and institutionally, to hear their perpetrator's voice and denials, potentially to be asked invasive questions on the spot, and to sit through an hours-long bureaucratic procedure that is usually unfamiliar. CARE advocates tried to cultivate a sense of safety and support around our clients. Yet, there is little about the hearing that is within an Advocate's or a survivor's control. Another CARE staff member described the hearing as akin to a boxing ring, where the advocate feels like they are literally in the survivor's corner in a set-up to fight. In my experience, the analogy felt apt despite, or maybe because of, its violence.

Maddy arrived at my office around 9:30 a.m. She wore black spandex pants and an oversized sweater, her blonde hair pulled back into a low bun. She brought her own travel mug of iced coffee and told me she didn't get much sleep the previous night. We settled into our chairs in my office and waited for the Zoom link. 10 a.m. came and went. The anticipation was making both of us antsy. Maddy emailed Jenn, the Hearing Coordinator, to make sure we weren't missing something. Jenn quickly responded, stating that they were experiencing a delay this morning and we would get the link shortly. A new expected start time was not given. I asked Maddy if she wanted to talk through any questions or how she was feeling. She preferred to doodle silently in one of the activity books until we began.

An hour later, the hearing began over Zoom. No acknowledgement of the delay was provided; instead, the Hearing Officer, Barbara, began with an opening script about expectations for the parties and an order of events. Advisors were reminded that we were not allowed to speak on behalf of the parties – we could only ask procedural questions or ask for a break. Per the standard procedure, Maddy was given time first to read her opening statement. As a practice, this gives the survivor the ability to set the stage for the hearing, and therefore complainants often take this statement seriously; it feels high stakes. However, as the first person “on the stand,” it also means that the complainant will face questioning first. Maddy had worked hard on her statement. She was proud of it and wanted to turn it into an art-video project for her senior project after the hearing. Her opening statement did not reiterate details of the events in John’s apartment; rather she illustrated how that interaction and the Title IX process itself impacted her mental health, her self-esteem, her relationships, and her education over the past year. Her voice was shaky, but she spoke deliberately and kept her eyes affixed to her typed pages instead of into the camera. Maddy stated that she did not want to be there, but she felt responsible. Her statement ended by asking the Hearing Officer to uphold the findings in the investigation.

After Maddy finished reading, Barbara asked if she needed a break; Maddy declined. She was informed that John had submitted some questions for her. What followed was a devastating hour of back-to-back questions designed to nitpick her account of what happened as told to the investigator, to attempt to get Maddy to contradict herself (through questions that were repetitive but worded differently), and

to attack her credibility by suggesting that Maddy was flirtatious and sexually promiscuous.⁴⁷ The questions were asked by Barbara, but clearly written in a lawyerly voice. The questioning part of the hearing varies widely depending on who is serving in the role of Hearing Officer and how they interpret their authority to regulate that space. In general, the Hearing Officer is expected to ask questions as submitted; however, Appendix E does give Hearing Officers the authority to determine relevance and to omit or rephrase those which may be irrelevant, redundant, or harassing.⁴⁸ The Hearing Officer can also ask questions of their own. Twenty minutes in to questioning, Barbara posed the question: “Have you ever had other sexual encounters without using a condom?”

Maddy was aghast. “Do I have to answer that?” she responded, shaken. I chimed in quickly and said we needed to take a break. Maddy and I were both caught off guard and unprepared both for the level of detail in the questions and the inclusion of questions about her sexual history, particularly since the latter seemed to contradict the SVSH policy.⁴⁹ We got some water and consulted with my supervisor about

⁴⁷ An article by Suzannah Dowling in the Maine Law Review, “(Un)Due Process,” quotes a defense attorney about his aggressive cross examination tactics designed to suggest that women’s clothing, intoxication, or behavior makes them responsible for their own assaults ([see 2020, 147](#)).

⁴⁸ An Appendix E and Appendix F guidance document created by UCOP details this discretion: In Appendix E proceedings: State law now requires the hearing officer to exclude questions that are repetitive, irrelevant, or harassing. The hearing officer may in their discretion rephrase questions to prevent them from being harassing. See Appendix E Section VII.E.12 (hearing officer role regarding questioning); Section IV.C.1 (investigator role regarding questions proposed by parties).

In Appendix F proceedings: The hearing officer will exclude questions (after they are asked) that are irrelevant or unduly repetitive, and require rephrasing of questions that violate the SVSH Rules of Conduct. See Appendix F Section VII.E.5.d.

See: https://www.ucop.edu/title-ix/_files/appendix-e-f-guidance.pdf (last accessed August 16, 2023).

⁴⁹ Appendix E states:

Maddy's rights. We explained to Maddy that – since her case was charged under the “Interim Appendix E” framework as an appeal – the Hearing Officer should be determining relevance of the questions they asked, so if there were questions that felt invasive, repetitive, or harassing she could keep a set of statements that would strategically interrupt the successive questions before feeling compelled to answer:

Can you explain the relevance of that question?
That information can be found in my statement in the investigation report.
I want to register my objection to this question.

By refusing to respond, Maddy offered an implicit critique of the hearing process, even as doing so required to her engage in an adversarial mode and risked positioning her as defensive or hostile.

It was after noon by the time questioning directed toward Maddy was concluded. She looked worn out, and the hearing had only just begun. Maddy did not want to hear John's statement. I sent a private chat to Jenn that we would be turning off our computer's sound until he was done. Maddy had prepared a couple questions that she hoped would foreground the inconsistencies between John's first and second interviews. Barbara determined Maddy's questions to be irrelevant and did not ask them; however, Barbara did ask a few of her own. John's questioning was brief.

The investigator will not, as a general rule, consider the sexual history of a Complainant or Respondent. However, in limited circumstances, sexual history may be directly relevant to the investigation. As to Complainants: While the investigator will never assume that a past sexual relationship between the parties means the Complainant consented to the specific conduct under investigation, evidence of how the parties communicated consent in past consensual encounters may help the investigator understand whether the Respondent reasonably believed consent was given during the encounter under investigation.

Thus the policy seems to indicate sexual history will only be asked about when relevant to show the parties' – here Maddy and John – regular communication and consent practices with each other, **not** with others.

Around 12:30, we took a break for lunch. I ordered Maddy her favorite chicken sandwich from the nearby Oakes Café, but neither of us could stomach eating.

After lunch, witnesses were called. It was clear we would not be ending on schedule. Two of Maddy's sorority sisters had agreed to participate to share what Maddy had told them and testify to how Maddy had been impacted in the aftermath. They were given no preparation about what to expect, their rights, or how to engage other than a general timeframe for which they should be on "standby." As the hearing was running later than schedule, the first witness was already at work and had to step into a break room where she video-called in from her phone. Again, invasive questions about Maddy's temperament and dating history were asked of her friends. "Did Maddy use Tinder for dating after this night at John's apartment?" "I mean, everyone is on Tinder..." her friend started to say, while Maddy unmuted and interrupted: "Relevance?!" She blurted with frustration.

By the time Eva, the Title IX Investigator, was called in, Maddy and I had been sitting in my office for five hours. She sunk back into the couch, wrapping both arms around a cushion to her chest. I felt like I was on fire. In part, I felt responsible, like I had failed at my job by not knowing the rules of the game or better preparing Maddy for this onslaught, but I was also enraged that the expectations set for us were so mismatched from how the hearing was going. Maddy was given the first opportunity to ask questions of the investigator. She submitted a couple that she hoped would reiterate the finding that she *was* credible. But we knew that a long line of attack would come from John, whose aim was to show that the credibility

determination was biased. By this point, Barbara was asserting more discretion in omitting questions that were harassing of the investigator and that would continue to drag out time, but to guard against liability, still had to give justification for each question omitted: “I’m not going to ask question 22 because it has already been answered through the rationale written in the report.” “Question 35 was already answered by the Investigator sharing her credentials and training.” The investigator’s job is to back up the work they did in the hearing, and Eva methodically referred to the report during questioning rather than try to answer from memory.

Typically, the last witness in an appeal hearing is the Student Conduct officer to discuss the sanctions. It was 5 p.m. before it was time to call them in. Staff responsible for the Title IX policy are *required* to participate in a hearing if the parties request them. However, in this case, David, the Student Conduct officer, had an appointment after work and logged in to Zoom from his car to say he would not be able to stay. We had two options: the hearing could be rescheduled for a second day to wrap up the remaining witnesses, or the parties could agree to conclude without the opportunity to question the Student Conduct officer. Maddy just wanted this to be over, and said she had no questions. John requested a break to consult with his advisor. Eventually, they returned. Because John’s primary challenge was to the determination, not the sanctions (for which he was given the minimum suspension per policy if the findings held), they agreed to let the hearing conclude. After witnesses, both parties are given the opportunity to make a closing statement. Maddy had prepared some brief notes as to why the finding should be upheld, and she stated

bluntly that this hearing had been the worst day of her life. The sun had set and it was already getting dark by the time we left my office, both in a daze.

The end of the process, the beginning of another

I have used a case study in this chapter to help make visible the intricate workings of Title IX, as it is the dominant avenue through which campus sexual violence is institutionally addressed, and ostensibly, redressed. The increasingly codified and legalistic landscape of Title IX compliance has both potentials and failures. Formal procedures have opened up opportunities for survivors to seek accountability and justice so that they can enhance their safety on campus. Yet at the same time, those procedures are increasingly onerous, particularly for individuals who have experienced interpersonal harm.⁵⁰ The threat of lawsuits and risk of liability create structures and procedures that are meant to eliminate bias, but in effect privilege respondents' due process and privacy rights over community safety, equity, and inclusion. Of course, due process is essential; I am not suggesting that all parties' rights shouldn't be protected. Due process also ensures that when there is a finding of responsibility, a complainant won't have to experience that being overturned later by a court or the DOE. However, what I am concerned with is the uneven enactment and effects of codifying process on complainants versus respondents. These effects are

⁵⁰ Of course, the investigation and adjudication process can be difficult for *all* parties, including respondents. A recent study interviewed both complainants and respondents about their experiences in Title IX processes and illustrates that complainants overwhelmingly indicated experiencing secondary victimization, but both parties reported negative feelings, exhaustion, disruption to the schooling, and bias (Roskin-Fraze 2023).

actively discussed among staff in weekly case management meetings and case debriefs,⁵¹ and staff seek regularly to improve on their processes so as to minimize harm. Yet the institutional role of Title IX as a “neutral” fact-finder positions the office in a double-bind, where even though the mission is to ensure gendered equity, the approach to treating both parties “the same” obscures and reproduces the gendered dynamics of power that underpin cases brought to their office.

I understand the neutrality of Title IX policy through what Sarah Ahmed calls the *nonperformative*: “institutional speech acts that do not bring into effect what they name” (2021, 30). Policies convey and enact institutional power. They can be written formally as in the UC’s SVSH Policy and Appendix E, but they can also be informal as in the array of “local implementing procedures” that were regularly discussed among staff, but never codified or made transparent to the parties and were only variably followed through. Ahmed’s qualitative study of institutional complaints – about harassment, discrimination, racism, and sexual violation – suggests that the disconnect between policy and practice is often *excruciating* (2021, 56). This affective tenor was evidenced specifically in Maddy’s hearing, but also at various moments through the process where she felt like she was being disciplined, disregarded, or silenced. While I’ve attempted to show the unevenness of power dynamics within a student case, this effect is amplified in cases that involve faculty or staff respondents because complainants don’t actually have the right to know the final

⁵¹ See page 15 of Title IX’s 2019-2020 Annual Report: https://titleix.ucsc.edu/pdf/title-ix_2019-20_annual_report.pdf.

outcome or fully participate in adjudication processes that are filtered through HR, the Chancellor, or the Academic Senate.

One of the most common critiques of Title IX has to do with the opacity of the process. Opacity is a problem at multiple levels, including communications from Title IX to complainants and broader publics and lack of clarity on the process itself. Once a report is filed, what happens and where it goes is invisibilized, either into a virtual file cabinet or into a formal process that is governed by privacy rights. Transparency is suspended by the limit of privacy. Privacy is required as a way to maintain integrity and not violate due process rights of the respondent. In fact, talking about an ongoing investigation could result in a personal lawsuit for slander, defamation, or violating due process. Thus privacy, or silencing, reinforces the structures of power that already underpin the act of violence that brought the case to the Title IX office in the first place. It is in this context that I situate transparency as an ethic and politics of care. As a member of the UC's Student Advisory Board to the Systemwide Title IX office from January 2018 – June 2019, I co-authored a set of recommendations that was sent to campus leadership and published online in February 2019.⁵² Our first recommendation underscores the importance of transparency:

The Board acknowledges that transparency is a crucial first step to fostering trust in the Title IX process and promoting accountability for the Title IX office. While many of the UC campuses have been compelled to respond to media reports – particularly in cases involving faculty respondents – we recommend that the university take a proactive approach to promoting transparency in Title IX investigations in accordance with due process rights and trauma-informed practices.

⁵² Found on the UCOP Title IX website here: <https://ucop.edu/title-ix/resources/student-advisory-board/index.html> (last accessed August 2, 2023).

On an individual level, transparency is a trauma-informed principle as it gives those who have experienced harm the knowledge necessary to make decisions and prepare to engage in a lengthy, often implicitly violent, process. The current policies and flowcharts about adjudication processes are difficult for anyone without a legal background to really understand. On a collective level, transparency fosters trust in the equity-based mission of the Title IX office, and it allows for communities of support and activism to form in service of a safer, more equitable, and caring campus.

Public distrust in Title IX continues to loom like a specter over the office. Title IX staff were aware of the public perception that their office exists solely to protect the university, and they saw this perception as a challenge to succeeding in their work. In the wake of three very public Title IX cases involving allegations against UCSC faculty members from 2017-2019 alone that spurred robust campus community debate about the office's failures, Title IX staff were actively aiming to build rapport with the community through changes in leadership, re-branding their work under the broader banner of "Equity and Equal Protection," and hiring student interns for the first time to assist with outreach and presentations. Critiques of the policy and the office are necessary and valid, but my ethnographic research illuminates that a more nuanced understanding of Title IX is critical to effect structural change.

Public dismissal of Title IX as a whole is overdetermined as "institutional failure." Such sentiments privilege retribution and the disciplinary process over the other accommodations, resources, and supportive measures that the office provides.

Some survivors do find justice in an investigation, but the expansion of Alternative Resolution created new options for survivors to define justice, accountability, and safety (somewhat) on their own terms. This overdetermined framing also misses important and crucial educational work of Title IX. Title IX is the office tasked with mandatory SVSH training and prevention, and they seek to build a culture of awareness and safety on campus. They also aim to center education within the formal processes themselves. Sanctions given after a Title IX investigation are never solely disciplinary; they also always include measure for growth and development, including requirements for therapy or mental health sessions, community service, consent education, and other reflective assignments before the respondent can be integrated back into the UCSC community.

Yet, there is another double-bind with situating broader training and prevention under the purview of Title IX; educational programs necessarily emphasize legal requirements and liability, which can individualize the problems of sexual violence and defer responsibility from the university. This is particularly true for mandatory online training programs directed toward staff, faculty, and graduate students, where mandated reporting responsibilities are repeatedly emphasized over prevention skills. The mandatory online training module for employees that I took in 2021 began with a case study where the university was sued after a failure to report and contained multiple other scenarios that effectively position lawsuits as the worst-case end result. Over the last two years, the Title IX office has attempted to expand the reach of their prevention education by hiring a team of undergraduate and

graduate student interns. While working for CARE as a prevention educator, I collaborated closely with the Title IX education teams on training programs, which was useful to bring our offices' different perspectives together, but also was frequently a site of friction. Title IX staff and I had numerous conversations about the scope of prevention between the two offices – policy education versus primary prevention that seeks culture change. I suggest that education and training are important ways that Title IX can enhance transparency about their office and set realistic expectations for the campus community about the limitations of the types of support their office can provide.

Maddy's central goal for reporting and deciding to engage with a Title IX investigation was to ensure accountability, so that no one else would have to experience what she did from John. As the finding was ultimately upheld by the hearing and John was suspended for two years, in one sense that goal was achieved. In another, however, by approaching the process through an adversarial and legalistic mode, it foreclosed the possibilities for accountability and reflection that are often a necessary step to preventing re-perpetration. John never acknowledged the harm Maddy felt from their interaction during the process, nor did any other staff outside of the CARE office acknowledge to Maddy the impact that the bureaucratic process had on her. In this way, even though the outcome validated her report, Maddy felt betrayed by the university. Implicitly, she expected that the Title IX investigation would allow her story to be heard; however, after the end of the process, she regularly asked herself (and me as her advocate) if it was worth it.

Maddy and I continued to meet throughout the rest of the academic year. While before her assault, she was primarily an “A” student, she was now struggling to pass her classes. Even without John on campus, Maddy had heightened anxiety and panic attacks walking around campus alone, so I worked to get her a parking pass accommodation to park near her classrooms and the gym. “I thought that I’d feel better when it was over. Like I could put it all behind me. So why is it still impacting me so much?” she asked. I explained that healing takes time, and often doesn’t happen within an investigation. Detaching the aspiration for healing from the Title IX process is often an important distinction for survivors to understand as they consider the multiple dimensions of their goals and their needs. Yet Maddy also became a vocal advocate within her sorority. She was frequently an active participant in mandatory Greek trainings I held, and she encouraged her sorority sisters to come to CARE. Maddy’s case highlights the important potentials of addressing sexual violence both within and outside of Title IX, and I will return to envision alternative and preventative measures for moving “Beyond Compliance” in my Conclusion.

Interlude – Advocacy and Institutional Caregiving

As an advocate and staff member in the CARE office, our team held weekly case management meetings for staff to discuss our caseloads – including trends seen in new client experiences, questions about Title IX or legal processes in which we were assisting clients, challenges in connecting with other support resources, and how we were personally and affectively managing our caseloads and triggers. After Maddy’s hearing (discussed in Chapter One), I felt drained. I was experiencing what might be described in clinical terms as “vicarious trauma,” which the American Counseling Association defines as the “emotional residue of exposure to traumatic stories and experiences of others through work, [or] witnessing fear, pain, and terror that others have experienced.”¹ I felt self-doubt around whether I had done enough as an advocate to prepare Maddy for the hearing, and I also felt a personal sense of betrayal from colleagues in Title IX and Student Conduct who had made certain assurances about how they would manage questions and the scope of the hearing that were not enacted – another *nonperformative* in Sara Ahmed’s (2021) terms.

CARE staff used many analogies to discuss the emotional weight of providing advocacy support. In talking through these feelings with my CARE colleagues, one advocate described her own similar experiences in this way:

“Sometimes I feel like a swamp monster stuck in the mud with my clients. Like, I know that when we see a client feeling trapped in a pit of despair or overwhelmed by intrusive thoughts, our role should be to build a ladder or

¹ See the ACA’s Fact Sheet #9, Vicarious Trauma: https://www.counseling.org/docs/default-source/trauma-disaster/fact-sheet-9---vicarious-trauma.pdf?sfvrsn=f0f03a27_5.

bring tools that will help them climb out, rather than join them in swamp in ourselves. Sometimes though it's really hard not to get sucked in or try to boost them up from below. But we aren't going to be much help if we're stuck there too."²

“Don't be a swamp monster” became something of an inside joke and point of reference across our team as we discussed other clients, cases, and our own emotional states in team meetings. But the points about our role as giving resources, tools, and options – and needing to take care of ourselves so we can take care of others³ – are central to the way that advocacy is framed, learned, and practiced – both in campus and community advocacy offices.

Advocacy is *the* central institutional space of caregiving in the context of sexual and interpersonal violence in the United States. Advocacy works through an “empowerment model” that seeks to give trauma survivors resources, tools, and options that will help them heal. Historically, advocacy centers – such as rape crisis centers (RCCs) and domestic violence shelters – were institutionalized as social services out of more grassroots coalitions and organizing in the 1960s and 1970s and came to comprise part of what Kristin Bumiller calls the “therapeutic state” (2008, xii).⁴ The ideologies of trauma and empowerment that underlie advocacy can re-entrench a “victimized” subject position that requires individuals take charge of their

² In line with my commitments to protect identities and use composite characters, this dialogue is a creative reconstruction. The central point of not being able to help others if we aren't taking care of ourselves – and avoiding the savior complex – was one that was reiterated in many meetings and different analogies throughout my time with CARE.

³ Among the CARE team, we had started co-reading and discussing the book, *Trauma Stewardship*, which is premised on the need for self-reflection to continue the work that addresses trauma, suffering, or violence.

⁴ Relatedly, Beth Richie situates the institutionalization of advocacy as a part of America's “prisonation” (2012).

own healing (as I will discuss further in Chapter Two). As the problem of campus sexual violence has been uplifted in national consciousness and lawmaking over the past decade, advocacy centers modeled off of community RCCs have been implemented in universities.

When the University of California drafted its first systemwide Sexual Violence and Sexual Harassment (SVSH) Policy in 2015, it mandated that each of the 10 campuses create a “CARE”⁵ office to provide confidential support for survivors and prevention education for the campus writ large. The politics of naming here are explicit in situating CARE as an institutional site of support and caregiving. While the full name directs some of the general activities for which the office was responsible – advocacy, resources, and education . However, the naming of CARE does not indicate that the specific purview of the office is sexual violence, relationship violence, and sexual harassment.

The scope of CARE’s services may seem arbitrary, but it is governed by legal structures.⁶ Because of state-mandated training and certification requirements for CARE staff, the legal ability to ensure confidentiality and privilege depended on limiting the scope of services to sexual violence, relationship violence, and human trafficking. We frequently had to redirect inquiries for all kinds of other various support needs – such as mental health services, identity-based harassment and discrimination, bullying, hazing, roommate conflicts, financial or academic needs,

⁵ On most – but not all – of the UC campuses, CARE stands for Campus Advocacy, Resources, and Education.

⁶ This point is discussed further in the Introduction.

and more – even as the campus lacked clear services or other resources with expertise and authority to provide support and redress.⁷ It’s also important to note that clients could access CARE as a third-party – for instance, if they were concerned about a friend’s relationship, wanted a confidential space to talk through concerns about a student, or needed support around the ways they were supporting a survivor. However, these were typically limited to one or two appointments, rather than long-term advocacy relationships. Yet CARE staff did engage in some strategic maneuvering, where silences and the naming (or not) of what happened enabled CARE both to interrupt and reproduce dominant scripts of sexual violence.

This positioning of *advocate as a support resource* showed up in different ways on campus, and survivors’ expectations or hopes about what they would get from advocacy didn’t always match the professional boundaries of that role. In orientation programs and prevention trainings, I regularly communicated to students and staff a general framework of how CARE worked. My script stated something like: “Advocacy services are designed to help survivors understand their rights and options and connect them to resources so that they can make the best decisions for themselves about how they want to move forward.”⁸ The empowerment-based ideology that underlies advocacy depends on a unidirectional model of trauma and recovery, even as we commonly acknowledged to clients and in support programs that healing is not linear and everyone’s process looks different. It also can re-

⁷ In 2023, UCSC did implement an Ombudsperson who would now be the first resource for many of these issues; however, the Ombuds’ ability to provide adequate support or resolution is uncertain.

⁸ I will touch on the neoliberal imperative of empowerment that underpins this formation of advocacy in Chapter 2 and a later Interlude on self-care.

entrench a “victimized” subject position that requires individuals take charge of their own healing by first coming to advocacy offices to seek help, and then developing resiliency and coping skills to help themselves.

More colloquially, I often heard other CARE staff describe the advocate’s role as that of a “*knowledgeable friend*.” While this phrasing is intended to minimize barriers to accessing services by foregrounding the relations of care associated with friendship – rather than the bureaucracy often associated with sexual violence response or the diagnostic model of mental health services – it actually diminishes the myriad forms of legal and institutional expertise that advocates provide. Alongside emotional support, advocates have to be extremely versed on an ever changing policy landscape surrounding Title IX, keep up to date on institutional services (both on campus and in the community), understand legal procedures to assist with filing restraining orders, accompany clients to court or legal interviews, and coordinate with case managers. The framing of friendship also obscures the hierarchies inherent in a staff-student support relationship, as well as the professional boundaries that need to be maintained by an advocate. For example, when Ariana wanted to send me a memento after we all had to isolate in Spring 2020, I had to redirect her gesture of care and reciprocity to the CARE office, rather than accepting a gift personally as one would from a friend. Relatedly, when the formal client relationship is ended – either from a student graduating or opting out of future services or a staff member leaving

their role – there are institutional mandates against continuing a relationship or communicating with former clients outside the office.⁹

Yet the swamp monster is hard to keep at bay, especially when the advocate's role explicitly entails witnessing, providing a safe space to be heard, and holding whatever emotions a client brings to you. If not stated explicitly, an implicit role of the advocate – and one that was frequently expected from clients – was to be a *container*. Advocates hold space and we hold stories in confidence. My advocacy training involved learning techniques for active listening and empathetic communication, then putting them into practice through role play activities. But an imagined context doesn't really prepare you for providing supportive crisis intervention services or holding space for trauma. My first two weeks working for CARE, I shadowed another advocate to feel more confident in how to approach meeting with my first client; however, I found that I learned more through doing and debriefing with clients and colleagues. As an advocate, I managed clients varied emotional states – whether they were sobbing on the couch in my office, frozen in shock during a hearing, angry that I couldn't promise them academic or housing accommodations, afraid at their own ideations of self-harm, or celebrating their own successes.¹⁰ When clients were crying or expressing panic through short gasping

⁹ For my research that was housed in the CARE office, the professional ethics and boundaries mandated by the office are that I am not to contact any clients about the scope of work in the office when I left my role, a commitment I had to affirm in writing on my last day of employment. Thus, I am not supposed to directly reach out to former clients about my research or share my writing, as that would be using the office's protected records (client contact information) for my personal use.

¹⁰ These emotional states skew negative because in general clients come to the office when they need help or are facing something challenging. When things are going well, survivors are less likely to turn to their advocates and come in for appointments, though as I learned through interviews and my

breaths, I walked them through grounding and breathing practices, gave them water and tissues, offered a reframe of feelings of self-blame or doubt they expressed, or sometimes simply sat in silent co-presence whether physically in the room together or over Zoom. When clients couldn't articulate what happened, how they were feeling, or what they needed, I tried to be comfortable with silence or murkiness.

One central principle of supporting survivors and responding to disclosures in a trauma-informed manner that I taught to other staff and students in trainings is to mirror the language and emotional state of survivors – with some limitations. For example, when Maddy was fired up and angry at having to participate in a live hearing, I tepidly shared my own frustration and critical perspective – about the unfairness of her needing to bear witness (discussed in Chapter 1) – while at the same time trying not to amplify her anger further or cause her to mistrust participating. When she was crying in advocacy appointments, I intentional kept my tone and bodily comportment tempered, calm, and quiet. In part, this act of witnessing is about sharing the weight of trauma – even if it is not talked through explicitly – and building that sense of belonging, or not being alone.

Giving survivors the space to feel their feelings without judgment is a powerful intervention and practice of care, but those feelings don't simply dissipate; they fill up within the container and need to be emptied or released elsewhere. Managing that container requires a high degree of emotional intelligence, a form of

supervisory relationships with interns, survivors do frequently turn to friends and other communities of care during those uplifting or celebratory moments.

knowing that cannot simply be taught in theory but is embodied through practice. Of course, no one is perfect – support people and myself included. We read others’ states incorrectly, we unknowingly carry our own baggage, or we are brought up short when the survivors’ needs don’t match our own expectations. I had to attune to those moments where I felt shaky or not present with a client, where I couldn’t leave work at the office (amplified when work moved remote), or where cases were intruding on my stress levels and sleep quality, as happened after Maddy’s hearing. This is a matter of affect, where structures of feeling and bodily charges are shared and felt proprioceptively in the moment (Berlant 2011; Massumi 2002; R. Williams 1977). Case management meetings, where CARE colleagues debriefed and got support and perspective from the CAPS trauma counselor (when there was someone in this role), were an incredibly valuable resource for managing when my container was too full or when I was stuck in the swamp. As well, our team encouraged taking a mental health day and do what I needed to nourish my body-mind, like hiking or visiting my sisters in Oakland, to mitigate burnout and vicarious trauma.

When clients were upset about their Title IX cases, their instructors’ accommodations, or their lack of responses from support offices, I usually asked if and how they wanted me to uplift their experiences as feedback so that I could use my own institutional power to effect change. This redirection also helped me personally feel a sense of grounding – like I could release my own anger, critiques, and exhaustion elsewhere. For instance, I participated in a debrief after the resolution of Maddy’s Title IX case with Title IX, Student Conduct, and hearing staff who were

involved to share how particular actions or missteps impacted Maddy and give my perspective as an advocate (who has insight into the whole investigation and adjudication process) on what could have been done differently. In this way, the advocate serves as a *naysayer*¹¹ toward other institutional offices and processes, which had the potential to cause friction in our important collegial relationships and collaborations. Thus, while our institutional care role was centrally in service of survivors, CARE staff had to navigate a delicate balance of care for and ethical commitments to our colleagues and our clients, and not jeopardize relationships upon which the office's legitimacy, institutional support, and credibility relied across multiple campus publics.

¹¹ Or, in the words of Sara Ahmed, the advocate becomes a “feminist killjoy” (e.g., 2010; 2017) by speaking back to the institutions that employ us.

Chapter 2 – Scripting Sexual Violence

I was sitting in a private study room on the top floor of McHenry library, a place I had chosen to meet with students for interviews because it was private, centrally located on campus, and felt like a calm environment in the redwoods where we might be able to dive into some admittedly difficult conversations. Erin knocked and entered right on time. Erin is a young white woman with long, straight reddish-brown hair. She wore an oversized flannel shirt and ripped jeans. After some opening remarks about informed consent, the purpose of my research, and her affiliation on campus, Erin started describing what she termed the “less impactful incident” – a friend-of-a-friend took advantage of her when she was blacked out from drinking during her freshman year. She gave a quick synopsis of how she cut off contact with this guy, then switched gears to describe a two-year long situation of repeated harassment and unwanted physical contact from another friend.

That situation impacted her mental health and feelings of safety in social situations where he was present, and it also left Erin disappointed in and disconnected from her friends. She explains the different reactions her peers had to her two experiences:

Like I told you earlier about that guy who took advantage of me when I was blacked out. When I went and told my friends, all of them were up in arms. Even the guy that was harassing me!... Like, ‘that’s not cool. He can’t do that.’ They were all really pissed. But when I told them about the other guy sexually harassing me, it’s like, well he’s their friend. It’s less obvious. That’s when they started to back up in their support.

Erin goes on to explain: “The basics of [sexual harassment], the most severe examples, everybody recognizes. But the more covert instances, people aren’t going to recognize and aren’t going to acknowledge it for what it is. That’s at least what I’ve experienced.”

What makes an experience of sexual violence or sexual harassment recognizable? In this chapter, I consider how sexual violence is produced as a meaningful category in the campus environment, and how students articulated understanding their or their peers’ experiences in contrast to institutional language. I share language students used to discuss violence, trauma, and consent in in-depth interviews, anonymous survey responses, advocacy meetings and prevention workshops to interrogate how sexual violence is scripted through dominant institutional processes in the campus environment and the consequences that refusing or engaging outside of such processes has for survivors.

Scripting

My analysis in this chapter draws on anthropological and legal scholarship about “scripting” to understand the discursive and normative processes that guide survivors into particular pathways for recovery and justice and that frame how survivors and campus staff give meaning to sexual violence as a category of experience (Buchbinder 2016; Carr 2011; Garcia 2010). Conceptually, scripting helps me to make sense of the messy intersections among policy, support services, and language. Scripting illuminates the politics and processes of a particular semiotic

ideology – what is signified by the signifier of “sexual violence” is not merely determined by particular types of behavior, but is shaped by historical processes of socially and legally defining harms and rights (which are always already gendered and racialized) as well as by how the victim-survivor makes sense of their experience.

Sexual violence, and rape in particular, have been constituted as legal objects whose meanings have been subject to conflict and change over time and place. What actions constitute rape, and who can be a victim of rape, are not given or universally defined, but rather are socially constituted through ideas about race, gender, and sexuality. Law is a critical, if limited, arena for understanding the production of victim-survivors because it is the central mode through which the state legitimates and manages sexual violence. Feminist legal scholars demonstrate that appeals to juridical systems trap gendered subjects in a double-bind (e.g. [Basu 2015](#); [Berlant 2011](#); [Brown 1995](#); [Moodie 2015](#); [Cattellino 2010](#); [Povinelli 2002](#)). Additionally, in the United States, black and indigenous women’s experiences of sexual violation have long been excluded from both legal and social legitimacy and care ([Deer 2015](#); [Freedman 2013](#); [Hartman 1997](#)). As Estelle Freedman’s historical work in *Redefining Rape* (2013) makes visible, social understandings of sexual violence as public and brutal assaults by strangers are still today completely wrapped up in racial anxieties that imagine black men as predators and white women as unassuming victims. While law produces narrow scripts of gender and victimhood that ultimately reinforce state and patriarchal power through definitions of rights and citizenship, it can also provide needed protections and redress from violence and has been a central site of feminist

advocacy. Regardless of victim engagement – as we know, the majority of rape cases never go through legal proceedings – law provides a frame of reference for broader societal understandings and informs broader discourses of sexual violence.

At the same time as sexual violence has been continually re-defined legally, it has also been medicalized, both in terms of the bodily and forensic evidence used in legal proceedings as well as in the institutionalization of social work, a field that has been called the “friendly arm of the state” (Carr 2011, 199). Feminist medical anthropologists have analyzed how the clinic becomes a site for reproducing juridical power that displaces responsibility for recovery or rehabilitation from the institution to the individual (e.g. Carr 2011; Garcia 2010; Livingston 2012; Mol 2008; Mulla 2014). As one example, Summerson Carr’s *Scripting Addiction* (2011) analyzes how social work and mandated addiction treatment at U-Haven scripts clients’ experiences of addiction and recovery through training in proper linguistic forms of therapeutic talk. The charge of social workers to help and heal clients is implemented through a disciplinary mode that threatens child custody, housing, and government benefits in alignment with the retrenchment of the U.S. welfare state. Yet this power is not total. Carr demonstrates how some women strategically “flip the script,” or “formally replicate prescribed ways of speaking about themselves and their problems without investing in the content of those scripts” (2011, 12). While script-flipping may not challenge the structural conditions as a whole, it does offer a way for women to influence institutional processes and access services and resources they need. Relatedly, social workers, clinical staff, and medical professionals do not always

succumb to dominant scripts and institutional power. Mara Buchbinder identifies how physicians “script dissent” (2016) about restrictive abortion laws into their practice, enacting a form of subversion from within the institution.

This scholarship provides me with a framework for understanding how policy, support services, and education together not only shape broader public discourses of sexual violence, but also how survivors make sense of their own experiences and identify as victims or survivors. In a parallel way to social work, sexual assault advocacy and trauma counseling services are charged with supporting the healing, recovery, and empowerment of individuals who have experienced some sort of interpersonal harm; yet they do so through neoliberal modes that individualize trauma and recovery through a linear script. In my state-certification training, and throughout my time working at CARE, advocacy was situated as an empowerment-based model of support. This is differentiated from either advice-giving or the processing-focused work of therapy. Being an advocate was framed as helping survivors understand their rights and options, so that they can make the best decisions for themselves about what they need. When I was trained as a peer counselor through a rape-crisis center in Santa Cruz, CA, one of the trainers clarified their program was structured around “self-empowerment,” or providing temporary support for survivors to find their own power rather than having it given benevolently by the institution. Options and resources – such as safety planning, group counseling, or legal intervention – are what, in the advocacy programs’ view, enable survivors to direct their own path (from victim to survivor – see below). Despite the critical lens I might take in understanding

this model of empowerment as situating responsibility for recovery within the individual survivor and displacing it from the state or institution, I found myself both reproducing this frame in my staff role as an advocate and prevention educator whenever I explained what kinds of support CARE offers for survivors,¹ while at the same time “scripting dissent” (Buchbinder 2016) into my work of advocating for policy and procedural interventions into Title IX.

Speech acts – such as naming one’s experience or sharing one’s story² – often served as an index for whether survivor empowerment was “successful.” Advocacy and therapy at UCSC – including survivor support groups – primarily operated through talk-based forms of support services.³ While there was not the same punitive necessity to demonstrate compliance with linguistic ideologies to access CARE’s services as in the context of Carr’s study, in case management meetings I often heard advocates and trauma-focused therapists celebrate a survivor’s ability to name their experiences of harm, particularly when they came to the office trying to make sense of what had happened to them. To access support from CARE, it was not a requirement that clients disclosed details about their experiences that brought them to

¹ As illustrated in the Interlude, “Advocacy and Institutional Caregiving,” I regularly described CARE’s services as “helping survivors understand their rights and options and connecting them to resources so that survivors can make the best decisions for themselves about how they want to move forward.”

² I will return to this point in Chapter 3, where I situate witnessing as a form of care. Sharing your story is frequently uplifted as an act of survival, community, and activism for survivors.

³ Somatic forms of healing and EMDR therapy – which uses rapid eye movements to desensitize and re-train psychological pathways – are commonly used for treating trauma. However, there were no practitioners specializing in psychosomatic therapy on campus. Relatedly, while CARE sponsored some programs that did not rely on talking about support needs – such as trauma-informed yoga and art-based projects – these were individual programs rather than built into the normal set of advocacy and support services.

the office, but they did have to share enough to determine whether their needs were within the scope of CARE's services.⁴ This form of identification might come from using a self-referent (such as naming themselves a victim or survivor), indicating the nature of their concerns on CARE's intake form (by checking a box that their concerns involved a recent or past form of sexual violence, sexual harassment, stalking, or relationship violence), or articulating their experiences in ways that advocates could interpret as assault, abuse, harassment, or other forms of violation in their initial meeting. These lines were not always clearly delineated, and CARE staff often discussed whether we had the capacity and expertise to serve clients whose experience we understood was more ambiguous in relation to the offices' scope.

Accessing legally protected rights to accommodations or compensation (as guaranteed under the Violence Against Women Act [VAWA]) or achieving justice through a formal reporting and adjudication process, however, depended on much more narrow articulations of harm. As I demonstrated in Chapter 1, the Title IX officer has to determine that the allegation meets a *prima facie* standard for formal processes to be engaged or accommodations to be guaranteed by their office. This means that a survivor must share details about the experience and their story must be legible in reference to policy definitions. For instance, if a survivor downplays how drunk they were in a sexual encounter so as to avoid potential victim-blaming, they might not be seen as meeting the standard of incapacitation that would on its own

⁴ See the Interlude, "Advocacy and Institutional Caregiving" for further discussion of the scope of CARE's services.

violate affirmative consent. In cases of domestic violence, survivors have to amplify reasons they fear for their physical safety, more than focusing on other dynamics of power, control, emotional manipulation, and coercion that are frequently seen in abusive relationships. Thus, as I saw in interviews, surveys, and my work as an advocate, survivors often molded their language and the ways they told their stories depending on the context in which they were speaking and whether their goals were to get some kind of institutional support. I understand these linguistic strategies as akin to what Carr terms “flipping the script,” as well as to “code switching.” While code-switching has been defined in sociolinguistics as shifting between languages in different situational contexts for multilingual speakers, critical race studies has viewed this alteration of language and behavior more capaciously to describe how individuals use varied forms of communication to successfully navigate different social environments.⁵ Below in this chapter, I will offer language that survivors use to demonstrate how articulations of harm use, rewrite, and refuse dominant scripts as survivors seek justice, healing, and belonging.

Articulating Sexual Violation

As a prevention educator for CARE, I facilitated dozens of workshops and trainings on campus about dynamics of sexual violence. In presentations, I typically

⁵ Relatedly, Maria Lugones’ concept of “world-travelling” (1987) can be instructive here. Lugones uses world traveling as a mode that people of color in the United States engage to flexibly shift between White/Anglo constructions of social life that deem her an outsider and conditions where she is more at “home.” World traveling is a strategy for living within conditions hostile to one’s own social existence.

defined sexual violence as an umbrella term that encompasses an array of behaviors and actions that violate someone's consent. The term "sexual violence" is useful as an analytic for thinking structurally about patterns of power and violation, but I found it was *not* necessarily useful for individuals seeking to make sense of or find language for their experiences.

As Erin identified above, students seemed to clearly identify sexual assault as involving physical sexual contact (and usually meaning penetration) through force, coercion due to power differences, or incapacitation. The dominant cultural frame for what constitutes still imagines sexual assault as being perpetrated by strangers, often in public spaces and often by men of color. Preeti, an undergraduate Humanities student, articulated in her interview that she did not first recognize a nonconsensual experience with a friend as assault because "I always used to imagine it like someone coming out of the bushes and attacking me." This imagining of rape as public violence is reproduced through prevention measures such as self-defense classes (at UCSC, the police department holds annual "Rape Aggression Defense" trainings), emergency blue lights that provide a direct alert to campus police, and educational campaigns on "party safe" strategies that instruct women not to leave their drinks unattended at parties and bars.⁶ While of course these measures can provide protection and a feeling of safety for students, they can also reproduce racial anxieties and obscure the more common experiences of sexual violation that are perpetrated by someone familiar to the survivor.

⁶ I discuss these prevention strategies in relation to campus security in the Introduction.

Thus, I found that while students could define sexual assault and consent clearly, they did not always know how to talk about the broad array of violating and non-consensual behaviors that constitute sexual violence, nor did they always recognize their own experiences as such. In my survey, one quarter of respondents described their experience as sexual assault (though only one used the word “rape”). But in interviews and in my role as a confidential advocate, the language students used was generally more ambiguous. Students described “being taken advantage of” or “feeling pressure,” or they avoided naming their experience altogether. While Preeti started telling me about the interaction with a former friend and romantic partner by saying: “He was really drunk and then he started to – yeah, he assaulted me.” But through the rest of the hour that we talked, she continued to reference this incident only as “what he did” and did not provide further details of that encounter. Similarly, Kat, a graduate student in STEM, talked *around* their experience with another grad student in their department. They only referenced “what happened to me” and never actually disclosed any details about what it was that happened.

Other students described their experiences through specific behavior and through the way it made them feel. For instance, Erin detailed the manner of behavior she experienced from her friend: he made “repeated sexual advances” through long text and Snapchat messages, threatened to harm himself when she rejected him, “cornered me and wouldn’t let me leave until I kissed him,” and “put his hands down my pants.” While Erin described her former friend as “the guy who was sexually harassing me,” there didn’t seem to be an easy way to classify the totality of her

experiences with him or the ways in which this behavior over such a long period of time impacted her.

While sexual harassment was a way that students named their experiences, the harassing behavior that participants described is really varied and was enacted in specifically gendered and racialized ways. Kat, the graduate student mentioned above, started discussing their experience in our interview by saying: “I identify as queer, so anything that may come up also has something to do with my sexual identity and how I present myself gender-wise.” Kat uses they/them pronouns, had short brown hair, and was dressed androgynously. Alongside the specific experience with their peer, Kat also shared that they repeatedly experienced gendered slurs, questions about their sexual partners, and inappropriate “jokes” from their peers and faculty members, incidents I commonly heard from other queer-identified and gender nonbinary students as an advocate.

The intersections of gendered and racialized harassment have long-standing impacts on students’ overall experiences on campus. Aliyah, a college student leader⁷ in Oakes and member of the Black Students’ Union, explained to me:

As a plus size and curvy black woman, I struggle with weight. When I exercise on a regular basis, the weight comes off and my physical features are more defined. Unfortunately, this also leads to catcalling and my male friends will hug and touch me more. I feel as though my hard work to stay healthy and fit results in more sexual harassment. Black women are already sexualized and – being less than 4% of the student body here – I feel like black women are targeted even more.

⁷ College student leaders at UCSC include residential assistants (RAs), neighborhood assistants (NA), and program associates, which are student staff positions. Student staff, like all staff, have responsible employee reporting obligations under the SVSH policy.

One particularly alarming example of being targeted that Aliyah shared happened during “Welcome Week,” her first week on campus. She and a new friend were walking in the Quarry Plaza, a central site on campus near the Student Union Building where student organizations frequently table, when suddenly two white men came up on either side, put their arms around her shoulders, and snapped a selfie on their phone without asking. Aliyah was stunned.

I pulled away and asked what that was about. They told me their fraternity was doing a scavenger hunt, and one of the goals was to take a picture with a black person. They just said, ‘thanks for helping!’ and walked off, without ever asking if it was okay. My friend and I were just like, what the hell?

This kind of racial targeting and physical contact without consent communicated to Aliyah from the outset that her experience at UCSC would not be a welcoming one. While the specific incidents Aliyah shared may not on their own meet the standard of sexual harassment under the University’s policy, for Aliyah each incident felt simultaneously racially *and* sexually motivated and compounded each other. She did not trust that the Title IX office or other campus staff would do anything to support her, and with such a small community of black-identified students on campus, Aliyah shared that she often felt isolated and alone because of her identity and her status as a “mandated reporter” on campus. Yet she narrated this as a reason that she became a student leader and involved in BSU, to help other black women find community and support with such experiences.

As Erin’s, Kat’s, Aliyah’s, and others’ experiences demonstrate, sexual violence and harassment are not always recognizable to other students or campus staff, and this limits the ways that survivors are able to find support. How they

understand what happened to them might not match with what they have previously learned about sexual harassment or with how misconduct is defined under the policy. In the campus environment, sexual violence is scripted through two dominant pathways: reporting and therapy. These pathways profoundly shape how survivors articulate or make sense of their experiences in ways that are legible as harm and as deserving of support from the institution and the community.

Victim to Survivor

Preeti was a third-year Humanities student when we met for our interview. She is of South Asian background and was living with her parents “over the hill” in San Jose. She shared that early in her Freshman year, a friend got really drunk and sexually assaulted her. Preeti was confused about what happened because they were friends, she had held romantic feelings for him, and then he “did what he did again” a year later. The experience didn’t match with what she thought she knew about sexual assault – an unknown assailant in a public space. While Preeti initially felt uncertain about what she experienced, therapy enabled her to make sense of her experiences at a time when she was suffering from severe panic attacks and depression that impacted her ability to study and be on campus. Preeti viscerally described her pain, self-blame, and numbness:

[I was] in a black hole from realizing what he did. It felt so invalidating to feel the pain of the trauma. Like and even calling it that just feels – I feel like I’m not allowed to call it sexual assault because I didn’t feel it right away... I had to start going to therapy and everything, and I learned that that was a common behavior of victims. And so that was just so weird to hear that I was acting on all the symptoms.

Therapy gave Preeti language for her experiences – sexual assault, trauma, being a victim – and affirmed for her that her responses were normal. Preeti unequivocally expressed that therapy was helping her to process and manage her feelings.

Yet the clinical nature of labeling her experience as “trauma” is something with which Preeti was still struggling. She had to take a medical withdrawal the quarter before we met, and when her therapist submitted the withdrawal form, Preeti said the diagnostic language felt uncomfortable and embarrassing:

My therapist in CAPS wrote up a form, and she has to write a description on why there is a medical withdrawal. It was in very vague terms, so it wasn't going in to it, but it was something like “inability to complete these units due to recent slash past trauma causing depression and anxiety.” So just having it be a very diagnostic kind of phrasing was also weird to feel that and then hold that paper and then walk and give it to my professor. Because I know not to believe the stigma around it, but it's like that stigma's still been internalized.

Still, despite her discomfort with the paper naming depression and anxiety, I noticed that therapeutic talk was embedded throughout her interview – using the language of trauma, naming herself as a victim, labeling her feelings as “symptoms,” and explicitly processing her emotions. The language that therapy gave her enabled Preeti to recognize her experience and begin her healing process.

* * *

The terms “victim” and “survivor” are common referents for someone who has experienced sexual violation or interpersonal harm. Yet these terms are not neutral descriptors; they are contested and index particular sets of assumptions, values, and politics.

A recent article titled the “Me Too Glossary” suggests that the Rape, Abuse & Incest National Network (RAINN, perhaps the largest and most well-known sexual violence organization in the U.S.) recommends using the term *victim* “when referring to someone who has recently been affected by sexual violence and *survivor* when referring to someone who has gone through the recovery process” (Kiefer 2018). The move from victim to survivor here is figured around a temporal, progressive, and individualizing narrative that relies on modernist formations of heroic agency and self-care. “Survivor” indicates forms of living on, of moving forward from the status of victim. It exists on a continuum, where the victim is passive, violated, and helpless, while the survivor has restored her agency. Yet this shift is not given or natural; rather, it requires active work and management on the part of the survivor.

Sameena Mulla (2014), in her study of sexual assault forensic nurse examiners, explicitly discusses her use of the term “victim.” She interrogates how the medico-legal context of sexual assault intervention not only positions those who have experienced sexual violence as victims, but also re-victimizes them through invasive bodily procedures. Because her study emphasizes the hospital where victims go to seek care in the immediate aftermath of assault, she compellingly shows how victims are produced, but Mulla does not trace the longer-term practices of working through trauma, seeking legal justice, or speaking out that work to produce survivors. As she writes, “legal institutions locate and constitute victims, not survivors, and the forensic intervention, with its therapeutic components, also casts this victim as a patient. In fact, these institutional notes often deny victims and patients their claims to survival”

(Mulla 2014, 6). Instead, victims must perform and bear witness to their own suffering for sexual assault to be legible and believed in a court of law.

Self-care and therapy to address trauma are critical components of producing survivors from victims. These strategies demonstrate a survivor's ability to take charge of her own healing and to be resilient through the effects of trauma. Resiliency has become a buzzword in mental health lingo, and I noticed this particularly in the wake of the Covid-19 pandemic. Compared to the term recovery,⁸ "resilience" indexes an understanding that one might never fully get-over a traumatic event, but rather should be able to integrate skills and mental frames that help them to better manage the psychological and embodied effects of violation.

Speaking out is commonly seen as another way to shift from victim to survivor. This might be achieved by reporting, sharing your story publicly, becoming a student-activist, or just giving language to your experience. However, because justice systems like Title IX and legal courts rely on performances of victimhood to legitimate allegations, these processes alone will not move someone out of the "victim" mode and can in fact entrench or reproduce victimization. Just about every complainant I supported through a Title IX process expressed some sort of disappointment or frustration that they didn't feel better at the end, even if there was a finding that supported their claim and consequences for the respondent.⁹

⁸ Judith Herman's influential book, *Trauma and Recovery* (1992) serves as central example of this discursive frame.

⁹ Almost every survivor I supported as an Advocate through a Title IX investigation continued to experience mental health impacts and academic challenges after the process ended.

Despite the neoliberal and biopolitical undercurrents of the victim-survivor terminology, labels are a central part of the scripting and subjectification process for recognizing one's experience in relation to others. Throughout my research, I generally heard students and advocates favor the language of "survivorship" over "victimhood." In this dissertation (as well as in my broader advocacy and work as an advocate and educator), I generally favor using the term "survivor" when referring to an individual who has been harmed, whether the experience was recent or not, unless they use a different self-referent – like "victim" for Preeti. My use of "survivor" is an intentional, but ambivalent, move that aims to align with ethics and politics of uplifting resilience and modes of living on. I recognize that the label "survivor" is not meaningful to many. Yet I still find the act of labeling compelling, as it works to build a sense of belonging across an imagined community¹⁰ of people who have experienced sexual violation and harm. This sense of belonging is one I hope to uplift in witnessing stories that rearticulate or refuse dominant scripts.

Reporting and Title IX

During our interview, I asked Kat how they navigated the specific incident with their fellow grad student. Kat's first impulse was to find community support. They told friends and chosen family, who were supportive and encouraged them to report to Title IX. However, their peers on campus were more hesitant to "rock the

¹⁰ I use Benedict Anderson's term capaciously here, not limited to ideas of citizenship but of belonging more broadly. As Benedict Anderson famously suggests, the nation-state is an "imagined political community that is both inherently limited and sovereign" (1983, 6) and is produced, iterated, and bounded through shared public discourses and a singular legal structure.

boat” and told them not to make a big deal out of it. Kat’s peers made excuses that he was just “very touchy feely, and he doesn’t know because he’s not from our country.”

So Kat subsequently went to a professor in their department for support because they didn’t feel safe in their lab:

Kat: They were kind of thrown by it, not because of the person but it seemed like, oh I went to this meeting, we discussed this. I think I’m supposed to say go here, here. I think they were trying to get the wheels turning very slow like, let’s see about this. Title IX. How do we handle this? They were looking online, trying to find what papers they had because they couldn’t remember...

Alison: That sense that you’re describing just feels really real. And to me illuminates that the way that we’re trained isn’t actually to support someone who comes to you, but instead foregrounds all the bureaucratic steps we’re supposed to go through as mandated reporters.

Because the professor did not seem comfortable with how to address the situation, Kat was told to talk to their PI. He was more forthcoming and told Kat the graduate student “has a history of this,” but he directed the conversation around reporting. After their PI put Kat in contact with the Title IX office, they never received further outreach from their faculty about this incident.

When Kat finally met with a Title IX investigator, they were told that nothing regarding the other graduate student had previously been reported. This was frustrating for Kat, because they previously and subsequently continued to hear about other experiences involving this student and excuses made from her peers. Regardless, Kat expressed that reporting to the Title IX office was “a very good experience. It was very comforting to walk in and say here’s my situation: now what? And they walked me through all the things they could do, they wrote things down,

they gave me options.” Kat decided not to pursue an investigation because they were fearful of their peer finding out who reported and their peer was set to graduate in the next year anyway, but they were assured by the Investigator that the office would meet with him for an educational conversation. While there was not a formal resolution, Kat at least felt validated in their belief that some action would be taken (though I should note, it was not confirmed to Kat that this conversation happened). And yet, their experience as a whole seemed to illuminate how faculty and graduate students are trained only in the bureaucratic steps required of mandated reporters and not in how to support someone who has experienced harm; moreover, as Kat’s experience illustrates, minimal training, unfamiliarity with specific processes, and general discomfort can both exacerbate a survivor’s feelings of harm or institutional failure and can limit support to come only through the Title IX office.

* * *

Broader public discourses around campus sexual violence and national and state policy regulation have entrenched Title IX as the site responsible for addressing sexual violence on college campuses. The legal authority and liability mandated under the Department of Education means that every campus must have a Title IX officer who ensures campus members understand their rights and responsibilities and who oversees investigatory measures around complaints of sexual misconduct. This association has become so strong that I noticed a discursive collapsing of “Title IX” and “sexual violence” from students and staff on campus. One client shared with me

that she commonly heard other students in her residence hall joke about “not getting Title IX’ed” when their peers did something inappropriate. Mandatory sexual violence prevention programs – through orientation for students and online modules for staff – were commonly referred to as “Title IX trainings,” including references to or questions about the “Slugs CARE” orientation program put on by CARE interns, which framed prevention and support in terms of values rather than policy. Relatedly, as CARE’s Prevention Educator, I regularly received inquiries from staff and student groups for presentations or training content on “Title IX issues.” When I explored what exactly they were hoping the training would cover, they usually were not referring to Title IX processes or campus policy; rather, they were looking for information about recognizing sexual violence and harassment, consent, or how to support survivors.

I hypothesize that there are a few social factors underlying this collapsing of sexual violence with Title IX. First is the over-emphasis on reporting in orientation, annual trainings, and “prevention” messages sent to the campus community. The university’s reliance on responsible employee obligations helps to ensure that the Title IX office can meet their legal obligations to respond to incidents of harassment; however, it also sends the message that reporting is the primary and/or best way to address issues of harm within the community. This sense of obligation to reporting, however, does not necessarily create an ability to support or care for survivors among students or staff, as Kat’s story illustrates. Yet, despite Title IX’s institutional

authority, student “jokes” point to such bureaucracy as a way of undermining the seriousness of the office’s work.

Second, the use of “Title IX” as a stand-in for sexual violence or sexual assault might be seen as a caring option to minimize triggers that other language might cause.¹¹ I question whether this language might actually be more sensitive – many of the clients I supported through formal processes, such as Maddy, find talk of or contact with Title IX quite triggering. Rather, I suspect – as Kat’s story illustrates – that the over-bureaucratization of sexual harassment trainings, combined with the assumption that the Title IX office is a site for remedy, forecloses or defers responsibility for care. Using Title IX in place of sexual violence might also index a broader social stigma and aversion to talking about sex. Even sex education in the United States reproduces the idea that sex is shameful, uncomfortable, and something to be feared.¹² Sexual violence prevention work is often focused on raising awareness about what constitutes harm and nonconsensual actions, which can reproduce a sex-phobic cultural position. Violence prevention and response work has yet to take seriously sex positivity as an approach to creating more consensual and mutual relationships.¹³ Even when a program director in the residence halls wanted to partner

¹¹ I discuss the question of triggers further in Chapter Four, and there share an example when I received a complaint that suggested my use of the language “sexual violence and harassment” in outreach about my research was triggering. An alternative that was proposed was “Title IX issues,” even though my study was not designed specifically about or in collaboration with the Title IX office.

¹² As Hirsch and Khan write, “All but the most progressive American sex education consistently denies young peoples’ sexual citizenship – communicating, in the words of one of our mentors, the notion that ‘sex is a dirty rotten nasty thing that you should only do to someone you love after you are married.’ Plenty of young people told us that they had had sex education, but that it was taught by a teacher who was mortified to be teaching it, or whose message was one of fear” (2020, xvii).

¹³ I will return to this point in the Conclusion taking inspiration here from the recent book, *Sexual Citizens* (J. S. Hirsch and Khan 2020).

with CARE on developing a sex-positive workshop for students building off a program we did called “Ending Rape Culture,” we did not have the resources or institutional support to collaborate on this project.

At any rate, the consequences of this discursive collapsing lead to reporting becoming a dominant script for addressing campus sexual violence. Survivors are expected to report in order for their experiences to be legitimized, even among their peer groups. This expectation not only ignores the harms that engaging with an institutional process might cause, but it also overshadows the various other goals that survivors might have for healing, accountability, and support.

However, despite the widespread acknowledgement of Title IX as embodying the university’s responsibility to remedy and eliminate gendered and sexual harassment, students still hold a lot of misconceptions about Title IX – both around what can be reported and what the office can provide as measures of support. This is true even for students who were active on campus and aware of Title IX processes. Erin, a student who had volunteered with the Student Health Outreach and Promotion (SHOP) center and name-dropped other campus resources such as CAPS, the Cove, and CARE in our interview, responded when I asked if she considered reporting her first incident to Title IX by saying:

No because the thing is, I didn’t know about it until like almost 24 hours after it happened. I had showered. Like, I had done all this stuff. I didn’t have any marks on me or anything. Because I was totally caked out, I was like a noodle walking. So there was probably no resistance in it anyway... And the kid, he doesn’t go here. He was literally visiting for I think three days.

While the factors of timing, evidence, and lack of resistance that Erin notes here do not actually matter in Title IX's ability to provide support, they index a centering of investigation and punishment as the only institutional remedy available and collapse Title IX with legal and criminal frameworks.

Similarly, Preeti described her reasons for not reporting to the Title IX office in a way that centered investigations as the primary form of remedy:

Yeah, I didn't report it. I didn't feel like I could. Like I didn't feel like I was allowed to. And I know that that's not true, but it feels that way. And it still feels like that... I feel like it would just make me feel like I'm going into some standard, procedural process where I couldn't be a full human.

Preeti's emphasis on the procedural component suggests that she did not view Title IX as a space for ensuring she had resources and accommodations to deal with the impacts that this experience was having on her academics. Thus, the narrow understanding of Title IX through a criminal justice framework limits students' abilities to access their rights on campus.

Alternatively, for Aliyah, as a black student and a college student leader familiar with conduct processes and reporting policies, she was already weary of turning to the institution as a site of support. Aliyah described the university as "a system of organized chaos," and suggested that staff members' responses to sexual and racialized harassment that she had witnessed as a student leader were particularly chaotic and uneven. Aliyah did not see her own experiences of racialized sexual harassment as represented in the SVSH policy, and this points to a broader question around power dynamics and intersectionality. At the time of my research, the Title IX office was being consolidated under a larger office of "Equity and Equal Protection"

(EEP), which was a university response to critiques about ineffective responses to racial discrimination.¹⁴ Yet despite this consolidation, in practice the investigation processes for EEP and Title IX complaints remained separate. As an Advocate, I saw that reports of racialized sexual harassment tended to be processed under EEP rather than Title IX, which siloed complaints in ways that were institutionally legible but erased parts of survivors' experience.

Consent

When Farah and I met for an interview, her Title IX investigation had just concluded the week prior. Farah was a second year undergraduate international student. She was groped and sexually solicited by a graduate student TA in her department at a party, and then subsequently harassed over Snapchat. Farah used precise and legalistic language to talk about what she experienced. I began the interview by inviting her to share a bit about who she was, and after only a couple brief sentences, she dove in to discussing her case unprompted:

And so what happened to me happened when I was a freshman in Winter quarter. I was at a party, and it was between me and a graduate student... We were talking at this party – like this was an undergraduate party, but there were graduate students there. And he was very persistent. He was also very intoxicated at the time. And he kept groping me. And he wouldn't take no for

¹⁴ This change was implemented in March 2020 after a very public case of student activism that shed light on misconduct from a faculty in the Baskin School of Engineering, which included both racist and sexual comments to students. Student activists in the group "Fiat Justice" made public ways that the university mishandled this case, as the Title IX office only considered rape "jokes" made without the context of other forms of discrimination in the classroom, and accidentally shared the names of people who reported in a notice to the professor. See student petition circulated here in Spring 2019 here: <https://forms.gle/CLLdsj5aQqZZEakU9> (last accessed August 24, 2023). And see an SUA resolution laying out what they saw as institutional issues that was adopted June 4, 2019, linked here: <https://sua.ucsc.edu/resources/resolutions/2018-2019.html> (last accessed August 24, 2023)..

an answer – at all. He kept guilt tripping me and making me feel bad about not being able to consent to go home with him. And then, several times he would just stick his hand down my underwear in front of several people. And so, things like that just kept happening at that party, but eventually I left.

The listing of details here without pause felt to me as evident that this was not the first time she had rehearsed what happened. Farah emphasized multiple times throughout her interview that she said “no,” that she was unable to consent because she was drunk, and the power dynamics of him being a TA and engaging sexually with students through multiple other instances she heard. Farah also used legal language when discussing her Title IX investigation, including emphasizing how many witnesses she had, describing “inconsistencies” in his “statements,” and discussing witness “credibility.”

Ultimately, however, Farah’s Title IX case was unsubstantiated. She was particularly frustrated that the report described her academic record and used the fact that she had continued to do well in rigorous classes in their reasoning around credibility:

I had an issue with the report using my academic record as like evidence that I wasn’t actually distressed by events that happened. Because they were like, well she was in a graduate seminar, and taking accounts from people who were like, well she wasn’t crying about it. [The report suggested] that was adequate proof that I wasn’t distressed, as if I had to put on a performance for them to show that I actually was upset by it.¹⁵

Throughout her investigation (and our interview), Farah narrated her experience of harm in a way that she anticipated would be legible to Title IX – with clear reference

¹⁵ Note that this was Farah’s perception of reasoning in the Investigation Report. I am not making a claim about the investigator’s assessment and determination, and I never review the case documents.

to policy definitions of affirmative consent. Yet she questioned whether her investigation would have resolved differently if she had presented as more distressed or traumatized. While reporting to Title IX at first seemed like the obvious means of redress, Farah now had to re-script how she would respond to her experience.

* * *

The University of California’s Sexual Violence and Sexual Harassment policy defines consent as: “affirmative, conscious, voluntary, and revokable.” Affirmative consent has become the gold standard in campus efforts to address and prevent sexual violence over the past decade. Colloquially, this has been described as a social and legal shift from a “no means no” framework of consent to a “yes means yes” one. This shift is indebted to the recognition among feminist activists and sexual assault advocates that sex and consent are structured by power relations. The absence of a “no” does not mean a sexual interaction was wanted; survivors may not feel safe or able to say “no” for many reasons. California was the first state to enact an affirmative consent law in 2014 under S.B. 967 in the state’s Education Code, and universities and educational institutions quickly aligned their SVSH policies to be in compliance. In 2015, the University of California released their first system-wide policy, which enshrined affirmative consent as the baseline for all ten campuses. While there is no federal legal definition or requirement of affirmative consent – and only a few other states have affirmative consent laws¹⁶ – many other universities have

¹⁶ Including New York, Illinois, and Connecticut, as of 2019 (Ehler, Natanagara, and Tuohy 2019).

written affirmative consent into their campus policies, particularly after the #MeToo movement.¹⁷

Consent in both prevention and adjudication is typically figured as the dividing line between sex and sexual assault. This is a legal standard that does not illuminate gendered dynamics of power and expectations when it comes to sex. “Was there consent?” is framed as clear and unambiguous – determined through a series of yes or no questions. Did you ask before initiating contact? Did you hear a “yes” or “no”? Was one of the parties incapacitated? Such yes or no questions figure consent as a checklist of unambiguous points to mark when engaging with another person sexually. They also provide a foundation for investigators in a Title IX process to determine whether an act was consensual. In her latest book, *Boys & Sex*, Peggy Orenstein quotes health educator Shafia Zaloom as saying, “consent is what makes sex legal, but it doesn’t make sex ethical, and it doesn’t make sex good” (2020, 313). Orenstein describes consent as the “bare minimum” for sexual engagement. Her research in the book shows that young men articulate an understanding of consent as necessary, but still engage in questionable behavior in their hookups and in the ways they talk about sex and women with other men. She illuminates how pressures of masculinist, racialized, and heteronormative forms of socialization – alongside expectations about sex that young men learn from pornography – influence behavior that does not always line up with their expressed values or politics. Orenstein’s earlier

¹⁷ Even in 2022 as I am writing today, more than half of U.S. states actually define sexual assault through use of physical force, rather than through a definition of consent.

work, *Girls & Sex* (2017), tracks a generational shift in young women's sexual practices and articulations of sexuality as empowering; yet, even here she shows that the ways young women talk about sex is still usually in terms of men's pleasure and being desirable to men.

Orenstein's work to me reads as offering a profoundly anthropological insight about the disconnect between discourse and practice, and it mirrors what I saw and heard on campus at UCSC. Students expressed relatively sophisticated understandings of consent as a baseline. I polled approximately 6,000 incoming students (freshmen and transfer) about their familiarity with consent and violence prevention during orientation programs in 2020 and 2021. On average across the sessions, 66% of students indicated that they were already having conversations with their peers about consent. Yet when I dug a little deeper in interactive workshops – and when I heard survivors describe their experiences of non-consensual interactions – it was clear that students' language and capacities to practice consent were limited. Like Erin's friends' reactions described at the outset of this chapter, there was an expressed understanding that having sex with a girl who is blacked out isn't right and is a form of assault; however, in practice, partying, drinking, and hookups seemingly go together in the campus environment.¹⁸

While of course anyone of any gender can be unable to consent due to incapacitation – and the policy language around consent is gender-neutral – I am using the language of “girl” here intentionally. Broader social understandings and

¹⁸ As we read through Maddy's case in Chapter 1.

legal interpretations of consent are often gendered and heteronormative, presuming men always already want to have sex, whereas women's consent must be acquired. In cases where both parties have been drinking – and when there isn't an explicit power imbalance such as a supervisory or teaching relationship – there is the implicit assumption that a man is always primarily responsible.

Consent is a gendered script. When talking through scenarios in violence prevention trainings on bystander intervention trainings, I often used gender neutral language to set it up. For example, one scenario we used:

You are at a party and notice your friend, Jo, being led out by the hand by the president of a Greek org. You know that Jo has been drinking jungle juice all night. You see Jo stumbling, and you are concerned they aren't fully aware of what's going on. What would you do in this situation?

However, when students discussed how they might interrupt or check in on Jo, they almost always used gendered referents. For example “I would go talk to her and make sure she was okay;” “I would help her get home safely;” “I would tell him that it's not cool because she's too drunk.” Despite not using gendered pronouns or using gender-neutral names, Jo was implicitly assumed to be a woman, the president leading Jo outside was presumed to be a man, and the Greek organization was presumed to be a fraternity.¹⁹ Of course, these assumptions match with the statistical prevalence rates of sexual violence,²⁰ but this gendered framing can lead to exclusions. More nuanced

¹⁹ Specifically, a social fraternity whose membership is exclusively men, as opposed to professional or cultural organizations – generally called fraternities with gender-mixed membership. However, even in trainings with these social and cultural Greek organizations, the individuals in scenarios were still talked about in gendered terms of woman or gender nonconforming persons as victims and men as (potential) perpetrators.

²⁰ As discussed in the Introduction, there are differential rates of sexual violence across genders. According to the Association of American Universities' climate study, approximately one in four

situations – such as those involving relationships or former sexual partners, a man or nonbinary individual feeling violated, social pressure, or substance use that doesn't make someone obviously wasted – can lead to inconsistent support and access to remedy for survivors.

Consent education has become a central point of intervention in recent feminist work against sexual assault. How consent is framed in formal prevention programs shapes how students articulate their understandings of their rights and responsibilities, though its effectiveness in creating more ethical and mutual sexual interactions is as yet unclear. As anthropologist M. Gabriela Torres argues:

Consent-based frameworks narrow the lens of sexual violence to individuals and their interactions. This problematically excludes the social contexts that enable sexual violence. Consent, rape, and sexual assault all take place in cultural contexts and are mediated through the workings of states, educational institutions, and medical institutions (2016).

When consent is framed as the individual's ability to say "yes" or "no," it relies on neoliberal conceptions of agency tied to intentionality and progress and presumes a subject with the ability to think and act rationally. In this mode, I understand consent to be a gendered and political category of sexual agency. What Torres's critique points to, and what I saw as an advocate and educator at UCSC, is that sexual violence is not only about subjects' ignorance or will; institutional structures of power relations in academic, supervisory, and social settings shape nonconsensual behavior.

women, one in 16 men, and one in three trans and gender nonconforming students experience sexual assault or nonconsensual sexual contact while in college (Cantor et al. 2020).

As CARE’s prevention educator, I presented dozens of workshops on consent to students through mandatory trainings – such as orientation and Greek Letter Organizations’ annual workshops – and I guided student interns to create content on consent for workshops, social media, and CARE’s newsletter. When I came to this role, I found that CARE’s preexisting programs – along with the mandatory trainings led by the Title IX office and Everfi²¹ – described consent in individual and oversimplified, “black and white” terms. Stickers stating “I ask for consent” were commonly handed out by CARE at tabling events on campus; posters stating simply “Consent is sexy” were plastered by Title IX and SHOP²² interns on bus stops and bulletin boards; the Title IX office featured a video titled “Consent is as simple as tea”²³ on their home webpage. While this messaging gave students the clear message that it was their responsibility to ask before initiating any sexual contact, it did not give them skills to reflect on their own “sexual projects” – a term researchers Jennifer Hirsch and Shamus Khan use in their recent groundbreaking book *Sexual Citizens* to refer to “the reasons why anyone might seek a particular sexual interaction or

²¹ Everfi is a company that hosted the mandatory online SVSH trainings for students, staff, and faculty at UCSC and many other universities across the country, although their higher education e-learning services were acquired by Vector Solutions in July 2021.

²² Student Health Outreach and Promotion, a unit that provides sexual health and alcohol and other drugs (AOD) information and support in the Student Health Center.

²³ This video went viral in 2015/2016 and is still widely used and referenced in consent trainings and by students. The video’s basic message uses the metaphor of not pressuring someone who doesn’t want tea to drink it. Personally, I find this video frustrating and counterproductive. It frames consent simply as the opposite of force or coercion, and it does not address context, nuance, social expectations, or power relations. I found a different video, “Cycling Through Consent,” from Western University in Canada that I commonly used in CARE trainings. While the metaphorical approach of likening consent to asking someone on a bike ride is still over-simplifying, the video at least included more nuance, such as in acknowledging power differentials between people, that there are different forms of biking (road versus mountain), and safety considerations like wearing a helmet or riding too fast. See the video here: <https://www.youtube.com/watch?v=-JwIKjRaUaw>.

experience” (2020, xiv). Yet even in recognizing these limitations, I still struggled with shifting the frame of consent education in ways that would be practical and not merely theoretical. I explained in my trainings that consent is not merely about going through a checklist to get permission to hug / kiss / touch someone else, but having an open ended conversation about comfort, boundaries, and desires. While students could provide robust definitions of affirmative consent, they struggled to talk about consent with any depth or nuance, and activities recommended by other training modules that we tested fell flat because they removed the sexual contexts that make talking about consent feel difficult.²⁴

The Covid-19 pandemic and social distancing orders offered a new opportunity for consent education as it made everyone think intentionally about personal boundaries and comfort levels in social or public settings. In mandatory Greek Life workshops, I uplifted the complicated but also intuitive ways students were navigating health, safety, and socializing during the pandemic as an opportunity to show skills they already have for practicing consent in everyday social interactions. In small groups over Zoom, we unpacked the conversations we all were having about physical distancing, masking, meeting in person, and sharing food with peers, as well as how to gauge body language of comfort or discomfort in those social settings. We

²⁴ For example, we tried using the “three handshakes” consent activity in CARE’s intern trainings and our ambassador training – both prior to the emergence of COVID-19. This activity uses varied levels of reflection, negotiation, and nonverbal communications with the basic act of shaking hands as a metaphor for thinking about social expectations around physical contact. Feedback from participants suggested that this activity didn’t feel very insightful or relevant, and I was concerned that the activity guide’s framing around “negotiation” could send the wrong message when extrapolating discussion out to sexual contact so I cut this activity from CARE’s workshops. See more: <https://bishtraining.com/three-handshakes-an-activity-for-learning-how-consent-feels>.

talked about how context matters – the unknown health risks of a virus might change behaviors over time, comfort levels or feelings of pressure might vary depending on who they are meeting up with (e.g. friends versus family versus coworkers), how to respect individual vulnerabilities and circumstances, and defining goals for social settings. The intention was to translate these skills to sexual consent practices, and while I doubt that this one-hour session radically altered any student’s behavior, I did receive positive feedback about this module from participants on evaluation forms. I remain cautiously optimistic about the potential for more nuanced and reflective trainings to help shift consent scripts on campus.

Attachments and Betrayals

Following feminist and disability justice scholars who explore how attachments to medical and legal institutions situate subjects in a double-bind (e.g. Basu 2015; Brown 1993; Cattelino 2010; Fortun and Cherkasky 1998; Moodie 2015; Rogers 2022), I aim not to critique the affective attachments survivors hold to medico-legal systems in their hopes for healing and justice.²⁵ The double-bind refers to situations where individuals face multiple, simultaneous, and contradictory obligations, desires, and values that create both conditions of possibility and

²⁵ My thinking here was inspired by a colloquium talk from Dr. Emily Lim Rogers in the UCSC Anthropology department in May 2022. Rogers discussed how Myalgic encephalomyelitis/ chronic fatigue syndrome (ME/CFS) patient-activists’ attachments to Western biomedicine situate them in a double-bind. Elsewhere, they describe the double-bind this way:

Patients were asking for societal legitimation, more research, and better treatments, so that their lives might be made more livable in the future. And yet, absent these things in the present, the activists confronted a challenge in the meantime: If political change involved action, debilitation blocked the types of action that was possible (Rogers 2022, 423).

constraint (Fortun and Cherkasky 1998). While such hopes for recognition through a Title IX or legal process may in some ways be read as a form of “cruel optimism” (Berlant 2011) or false consciousness, I want to avoid limiting my understanding of this affective engagement to that which sees survivors as merely duped by the system or working against their own best interests. Instead, I want to take seriously the various ways that student survivors make life livable after sexual violence within and outside of institutional practices.

Systems like Title IX can and do sometimes enable survivors’ goals to be realized, even as those systems may at the same time work against them or cause harm. My research sits with this ambivalence. Kat’s experience of reporting validated that someone official listened to their story and took what happened to them seriously. For Maddy, Title IX’s finding that John had violated the campus SVSH policy led her to feel personally validated, even as going through the process made her feel betrayed and disciplined by the university at various stages. While she initially filed a Title IX report with the aspiration that her efforts could prevent another woman from being harmed by John, this attachment to accountability remains unresolved. UCSC implemented a 2-year suspension, along with requirements for John to engage in educational measures about consent and counseling before he could be readmitted; however, there is no structure in place to prevent him from enrolling in another university without this reflection, and the adversarial nature of the hearing process structurally limit growth and learning, particularly when outside legal counsel is involved. Maddy also continued to experience severe mental health challenges,

which impacted her academics and her friendships. She felt betrayed by the university in terms of how the case impacted her and expressed feeling untethered without a formal process guiding how to move forward from her experience of violation. Maddy's attachment to a formal process, and her expectation that institutions would protect her as a young white woman in college, shaped her desire to pursue additional grievance procedures. However, as there was a finding of responsibility in her case and the university followed all due process requirements as written under the SVSH policy and DOE regulations, none of these options were available to her. Maddy wrote a letter to the Dean of Students that walked through all the moments at which she felt harmed, and she demanded acknowledgment of and apology for the impacts the Title IX process had on her education and feelings of (un)safety on campus. However, even when administrators in the Dean of Students' office did respond, apologize, and offer to meet with her to talk further about what they could do to remedy or improve processes based on her feedback, Maddy refused the offer and never responded to their message.²⁶

Alternatively for Farah, the lack of a finding in her Title IX case or any discipline for the graduate student confirmed her belief that university administration would not protect students. Like for Maddy, Farah and her friend group seemed to take reporting to Title IX as the obvious first step and remedy for her experience. Her decision to report was not only about a sense of personal justice, but rather was

²⁶ One thing I am implicitly trying to do here is illustrate the reality of complicated feelings, desires, and demands that survivors have, in opposition to the "perfect victim" script. While many survivors demanded more from university administrators, they also didn't want to be asked to do more emotional labor in service of the university.

wrapped up in feeling responsible for the safety of other students and ensuring this graduate student's predatory behavior would be stopped. She described numerous other incidents she'd heard – where he flirted with, had sex with, and sent and received nudes from his students, how he groped other undergraduate women at parties, and how he provided alcohol to undergrads in his “special office hours.” Yet Farah's insistence on accountability did not end with the Title IX investigation. She confided about her experience with faculty in her department and a faculty member at another university where the graduate student was to be on a research fellowship the following year. Farah's faculty immediately advocated for her by accompanying her to grievance meetings with the Dean of Students, making classroom adjustments in the graduate seminar she was taking, and committing to holding her harasser accountable on their own terms.²⁷ As Farah's case was ongoing in the midst of another very public case involving a faculty perpetrator, scripts of institutional failure and the imperative to believe survivors were circulating publicly on campus.²⁸ “The Chair basically said, we're not going to deal with this like [that department]. I feel kind of relieved to know that in [my department] that they're not really tolerating it.” Farah's story offers an important lens for thinking through ways that these scripts can

²⁷ In our interview, Farah stated that the Department chair told her he would be kicked out of the program. I cannot confirm this occurred. While departments do have some purview over how graduate students advance through the program and whether a degree should be conferred on academic merits, I expect that such a large disciplinary impact as withholding a degree would be adjudicated and appealed under a conduct or student grievance process.

²⁸ In the wake of the hashtag #MeToo going viral, there was robust public conversation about the problem of sexual violence broadly, and on campuses specifically.

be refused or re-written by finding alternate ways of addressing the graduate student's inappropriate behavior outside of the formal Title IX process.

Survivors' sense of institutional betrayal is not limited only to the formal investigative process. Ariana's strategic engagement with Title IX and other campus resources provided her with supportive measures – including academic accommodations, trauma therapy, financial resources, emergency housing, and a No Contact Directive with her former partner – that enabled her to feel safe on campus and continue her education. And yet, as she noted, she routinely felt betrayed and disregarded by the university as a whole. When Ariana found out that her former partner was back on campus and knew where she lived, she was given emergency housing, but this took much longer than she wanted and she incurred additional moving expenses that were not reimbursed. When she struggled to keep up with her classwork, she felt that her experiences as a survivor and a woman of color were not respected by faculty. When she studied with friends in Family Student Housing so their kids could play and mitigate isolation during Shelter in Place orders in early 2020, Ariana felt disciplined by being requested to meet with a Student Conduct officer for an “educational conversation” about campus health and safety policies (where students living on campus were restricted from having any guests in their rooms in during the Covid health emergency).

There is much to learn from the strategies that survivors of color in particular use to reframe dominant scripts as they work to navigate an “institution that is not made for them” (in Ariana's words). Ariana leaned heavily on me as her Advocate to

help her “flip the script” (Carr 2011) – or to strategically engage with resources and use language that would be legible to get her what she needed, without investing in the belief that the institution would serve her. Ariana named herself as a survivor, pulled language from CARE’s accommodation templates when advocating for her own extensions (e.g. “I have been experiencing a distressing event beyond my control;” “I am copying my allies from CARE and the DRC to this message.”). Even when survivors of color did believe that Title IX would serve them, they refused to limit her sense of justice to the Title IX process. Farah told faculty who believed and supported her, and she found community with other undergraduate students who were sharing experiences about the TA’s behavior. Aliyah, on the other hand, re-scripted sexual harassment from policy definitions to encompass her intersectional lived experiences of fetishism, catcalling, and misogynoir.²⁹ Her refusal to turn to the institution for redress was aided by confiding in other black students on campus.

Yet despite Ariana’s refusal to engage with an investigative process, like Preeti she remained deeply invested in advocacy and trauma-focused therapy as pathways to healing. Both Ariana and Preeti drew on language from advocacy and therapy to make sense of their own experiences and to navigate their academic needs. They used self-referents of victim and survivor and vividly described their emotional state – rather than details of their experience – to access resources.

²⁹ This term was coined by scholar and writer Moya Bailey to call attention to a specific form of discrimination – namely anti-Black racist misogyny – directed toward and shaping representations of Black women. See her book: *Misogynoir Transformed* (Bailey 2021).

What these articulated attachments and betrayals suggest to me is that the narrative form, content, and context *together* constitute the subject as victim-survivor in relation to discourses of sexual violence and institutional practices of remedy. Survivors' abilities to stake claims for rights, support, and inclusion depend on their experiences being made legible as sexual violence. And yet, my interviews and client sessions showed that survivors are strategic in how and when they articulate legibility. The therapeutic focus on interiority is one that both Ariana and Preeti took up in their narrative strategies, while the shape of Farah's interviews was linear, detailed, and precise. Erin gave long and very detailed descriptions of the harassment she experienced from her friend and refused to put herself in a standard or "perfect victim" role; she talked extensively about her substance use and denied feeling emotionally attached to her first experience of sexual assault. Kat, as a fellow graduate student, used our interview to talk more about structural problems of gendered and identity-based discrimination within academia and anti-bias initiatives from graduate students in STEM specifically. Thus, what survivors shared with me in interviews and advocacy appointments cannot be fully understood outside of their individual positionalities or the interactive context between storyteller and witness. I follow this insight in Chapter Three to consider how activist and survivor-centered spaces offered opportunities for different kinds of framing, witnessing, and care.

Consequences

I want to be clear that by interrogating the gendered, racialized, and sexualized logics that script survivors' choices and narratives, I am not making negative judgments about these institutional pathways or the survivors who choose to engage in them. Rather my argument is that we should not see those as the *only* avenues for survivors to address their experiences or recover from harm. Survivors' abilities to stake claims for rights, support, and inclusion depends on their experiences being made legible as sexual violence. I am concerned that when only certain kinds of stories and articulations are legible as sexual violence or as trauma, we leave out and further harm those who refuse or otherwise don't fit neatly into this narrative or who choose not to engage with pathways such as advocacy, therapy, and reporting.

These scripts have implications – whether intended or not – for university programs and policies as well as for resources to support offices like CARE, counseling services, and Title IX. The popular emphasis on reporting as the “proper” step for a victim to take following an experience of violation, combined with concerns around campus liability and lawsuits, has led to university-wide investment in the Title IX office that doubled the number of staff from 2017-2021. As the legal context around Title IX becomes more entrenched, that policy framework disciplines – in the *discursive* (Foucauldian) sense – survivors into specific pathways and certain kinds of narratives. And yet it can also discipline – in the *punitive* sense – survivors who seek to access justice and accountability through alternative pathways. In late Spring/early Summer 2020, UCSC – like many universities across the country – saw

an explosion of students turning to social media to name other students (most often, men in fraternities) as perpetrators.³⁰ Some of these posts were printed and hung as posters around the west side of Santa Cruz, an area where many students live off campus. A common trend nationally was for alleged perpetrators to file campus complaints and defamation lawsuits in response, which can in effect silence and discipline survivors (Profaci 2022).

The scripts I have been describing in this chapter also shape how students accessed support and how others responded to them after an experience of violence, even within their peer groups. Students indicated in my survey that they most commonly first sought support from their peers. And yet, Erin and Preeti both felt that their friends dismissed their experiences, which ultimately ended many of their friendships. When Kat told their peers what had happened, they were advised to forget about it and “not rock the boat.” For Maddy, while her friends were supportive during her initial case and backed her as witnesses to the investigation and hearing, they grew weary over time. “They just don’t want to hear about it anymore,” Maddy expressed tearfully in one of our meetings. Maddy’s emotional state did not match the expectations her friends had for how she should heal, move on, and survive from her experience. These responses from peers illuminate that it is not only institutional policy, but also social understandings and individual practices that can remake dominant scripts. I saw repeatedly throughout my research that peer support really matters for survivors’ emotional well-being and their success on campus.

³⁰ See UCSC statement published here: <https://news.ucsc.edu/2020/06/statement-social-media.html>.

Overall, my research suggests that it is imperative that we – as a community – take seriously those narratives that re-write or refuse dominant scripts of sexual violence, trauma, and consent and that we support alternative pathways for healing, self-resourcing, and justice if we are to build a safe, equitable, and inclusive campus.

I asked Erin what she wished other students knew about sexual violence:

Erin: I think probably that it's not as obvious as a lot of people think it is... Like what you see on TV as represented of sexual violence is not always going to be a thing. And recognizing that it can and probably will happen in friend groups, and can and probably will happen in the relationships that you see. Like you're not going to know, necessarily. Maybe listen with more open ears and hear what they have to say. Because people who have been sexually abused generally aren't going to lie about that kind of thing or make a fuss.

Alison: Right. Because it feels so hard to even like disclose it in the first place.

Erin: Exactly. And someone who feels like they've been violated, like it's not really your place to tell them whether or not they should feel that way.

There is no one right way for a survivor to respond to an experience of violation or harm. Expectations that a "perfect victim" must have been innocent, must have resisted, must be traumatized, and must report their experience can cause survivors to feel ashamed, invalidated, and isolated. Interrupting these scripts, believing survivors, and shifting the narrative around sexual violence can help to create a more supportive and inclusive campus community.

Interlude – Self-Care and Survival

In my interview with Erin, after talking through all the difficult impacts of sexual harassment from her friend over the last year, I asked how things were going in the current one. She explained that she had been feeling a lot better since cutting off interactions with her friend group and having more time for herself:

Erin: I was able to focus a lot more on school and just preoccupy myself with other activities and other hobbies. And I don't know, just work on growing, myself... I started drawing and painting again because I used to do that a lot when I was younger. I just go on walks a lot. I cook all the time.

Alison: That's great. All of those things sound like good forms of like – I don't know – not to use the cheesy language of self-care [*laughs*], but like, you have some sort of artistic outlet, and do something with your body outside, and eat good food.

Erin: Yeah, no, I've definitely gotten a lot more emotionally healthy over the last two years too.

In listening back to this interview from 2019, I sense my own discomfort with the language of self-care and how to broach this with students. Yet at the same time, I recognize that I was eventually disciplined into the discourse of self-care in my role as a CARE advocate and educator and reproduced it through trainings on self-care with student organizations and staff¹ – and in this way I have to be accountable for how I contributed to scripting particular ideas about recovery on campus.

¹ Here again I am working through *ambivalence* in recognizing both the potentials and limitations of self-care as a mode of healing.

While advocacy is a formal, institutional site of care, a more informal regime that looms over expectations of recovery from trauma is that of self-care. Discourses of self-care have permeated popular culture, especially in the numerous social media accounts and images that tout self-care practices, and have been capitalized on through the vast “wellness” industry of products for physical, emotional, and mental wellness.² While as a CARE educator, I redesigned the preexisting workshop scripts to explicitly emphasize non-capitalist practices of self-care that wouldn’t require one to buy anything and included discussions of community care as inextricably related, I still reproduced a version of the neoliberal self in my definition of self-care as “intentional activities and practices that support your wellbeing, bring you joy, and sustain you.” Even without a capitalist frame, ideologies of self-care and individualism underpin many of the empowerment-based programs within advocacy that aim to give clients the tools, resources, and information needed to *make decisions for themselves* about how to move forward and *manage their own well-being*, such as in developing resiliency and coping skills.

Self-care is a central tenet in the temporal goal of recovery that has long underpinned trauma-focused work and scholarship. Recovery presupposes an end – a state whereby one is no longer traumatized, is restored as whole, or has successfully managed their own care – but this is not merely linear or progressive. Rather, recovery often implies a sense of return or restoration to a semblance of the before

² As just one prominent example, see the [goop](#) empire, where advice and blog columns all frame self-care in terms of essential oils, supplements, skincare products, and other things for sale on the website.

(the person who was before trauma), even if post-traumatic growth is acknowledged. The promise of recovery is a “fantasy bribe” (Berlant 2011, 105) that in turn blames and shames survivors who don’t follow the prescribed modes of caring enough for themselves, reporting, going to therapy, or sharing their pain publicly.

More recently, I have noticed a linguistic shift from recovery to resiliency in both popular culture and support services over the past decade, a shift that was particularly stark in the wake of Covid-19. The language of resilience seemed to be everywhere in virtual campus messaging and programming throughout 2020 – such as public affairs emails acknowledging students’ resilience in the shift to remote learning, mandatory training programs on “radical resilience” for student affairs staff,³ and grant opportunities for resiliency projects. The language of resilience disrupts the temporality of recovery by emphasizing process rather than a goal and the non-linearity of healing. Yet resiliency still depends on individual management of one’s own self-care, and it presumes the inevitability of trauma, power, and violence. The framework of resilience also makes the responsibility for healing and self-care a never-ending project, where successes and failures can come at any time.

The Covid-19 pandemic interrupted and shifted CARE’s prevention programming to specifically emphasize forms of care, whether for self or for others. While primary prevention – such as building consent, healthy relationships, or

³ In the 2020-2021 academic year, the Division of Student Affairs and Success held quarterly mandatory trainings on radical resiliency that sought to address mental health and DEI issues. While the trainings had positive goals and intentions, a lot of staff had critiques about how they were presented as mandating that staff share traumas and struggles they were experiencing in small, random Zoom groups of colleagues they did not know well.

bystander intervention skills – is typically situated as best practice for stopping the cycle of power-based interpersonal harm and creating safe environments, these topics suddenly did not seem relevant to students and staff as the campus community was required to shelter in place. Clients, student groups, and campus partners were all asking CARE for support around self-care, resiliency skill building (such as setting boundaries)⁴, and trauma-informed support practices.⁵ So in 2020, we re-centered our strategic plan for prevention and outreach materials around self-care. My student intern team came up with a new theme of “Rooted in Resilience” for Sexual Assault Awareness Month that April and designed a series of Instagram posts and newsletter columns that gave tips about self-care and healing. One project I initiated in the Spring 2020 quarter was to design a virtual workbook for students and colleagues to assess their own initiatives around self-care and identify strategies for improving their wellbeing holistically.⁶ This “Self-Care Inventory” was adapted from the National Alliance for Mental Illness (NAMI) and categorized activities into six buckets: physical, psychological, emotional, spiritual, relational, and academic/professional. Because I was hearing from clients and other advocates how

⁴ The previous year, CARE’s prevention programs that were prioritized and most popular on campus included consent and bystander intervention. In prevention frameworks such as those developed by the CDC, these self-care topics would generally fall under the rubric of “tertiary prevention.” Where primary prevention aims to interrupt or stop harm from occurring in the first place (such as teaching consent skills), tertiary prevention programs are designed to help individuals heal and manage the long-term effects of violence or trauma.

⁵ Note, a workshop I created on trauma-informed residential communities was originally scheduled for August 2020 in preparation for the next school year, but was cancelled due to a massive wildfire – the CZU Fire Complex – that started in Santa Cruz county and displaced a number of campus community residents who lived in the Santa Cruz mountains. Thus, when I actually held the workshop later in October, the trauma-informed focus here was broadened from thinking specifically about the pandemic and interpersonal violence, to include the traumatic impacts of natural disaster.

⁶ See here: <https://drive.google.com/file/d/1zLu1VuWQHhP7bXoyqUMxouzrsL7-gUXJ/view>.

overwhelmingly students were feeling burnt-out, isolated, and in distress due to pandemic disruptions, this workbook was aimed to give ideas for how to improve their mental health when they were otherwise cut off from their regular spaces of social and institutional support.⁷

Despite my intentions in designing self-care focused programming, the imperative of self-care has implications for survivors. As mentioned above, self-care presumes the individual survivors' responsibility for managing and maintaining their own well-being. Self-care can be seen as a biopolitical and neoliberal project, as traumatized subjects who do not care for themselves cannot be productive citizens who contribute economically or socially. As Foucault's (e.g. 1978) work has shown us, the biopolitical state manages the body politic (as a population) through internalization of the valuing life itself. In the context of sexual violence advocacy, trauma therapy, and other support services, the value of recovery – of life itself – gets internalized through an ethics of self-care, where the survivor takes responsibility for the management of their life with the support of the biopolitical state. For Foucault (1987), care of the self is an ethical process of self-cultivation and subjectification.⁸

⁷ Anecdotally, the affective dimension of “shelter-in-place” orders may have been unique in California, and the Bay Area in particular. The Bay Area was the first region to implement public orders to shelter and restrict any activity outside of one's own home. Living in Santa Cruz at the time, the pandemic felt extremely anxiety-provoking. I remember being scared to even get groceries, buying as much as I could stock in my small kitchen to last weeks between trips. Non-essential businesses remained closed to public access for months. The University of California system remained fully remote for a year and a half. Talking with friends out of state and subsequently moving to Colorado, the fear and restrictions seemed somewhat less overwhelming and shelter-in-place restrictions eased sooner.

⁸ Foucault's analysis of the “ethics of care of the self” draws theoretically on Aristotle to suggest that ethics are bound up in everyday practices of self-cultivation oriented toward freedom. For Foucault, ethics constitute how the subject relates to itself, or are a part of the process of subjectivation. Practices of care of the self are figured as intentional and embodied modes of being in the world. As an ethical practice, care of the self is always already relational because the self is only known and experienced in

Thus self-care becomes a central means for turning victims into survivors and therefore into productive citizens (and consumers per the wellness industry).

Self-care was an imperative not only for survivors, but also for advocates and support persons in their roles as university employees. Avoiding the trap of the swamp monster (see Interlude on Advocacy) was positioned as a heroic journey that staff and advocates would have to take on themselves. Reminders of self-care were frequently stated to staff in emails and meetings from campus administrators. As CARE staff took on additional unpaid work in 2020 during the shift to remote operations, carried an additional burden of supporting survivors with complex traumatic impacts, and were dealing with our own personal stressors during the pandemic, divisional staff meetings often suggested that we should take brief walks over lunch or purchase things like blue-light glasses and ergonomic keyboards – suggestions that I took as implying that these small forms of self-care would make us better workers. I became so frustrated at the repetition that taking a walk would alleviate our stress at work that I wrote feedback to the Student Affairs division staff stating that we didn't need more walks, but rather more structural support to manage an impossible workload and an under-resourced office. If the university cared about staff members' wellbeing, I suggested, they would give us more money and adequately staff our offices. This discourse of self-care situated burnout as a personal failing rather than a structural lack of support for care workers.

relation to others. In the context of my analysis then, the self is only known as a survivor in relation to others who demonstrate practices of survival or recovery, and those who do not (who remain victims).

However, in recognizing these individualist, biopolitical, and capitalist underpinnings, I don't mean to entirely dismiss self-care.⁹ I saw that the language of self-care and resilience was meaningful and empowering for many students – including clients, my interns, and student organizations who requested workshops or support materials – and that practices such as eating well, going for walks, getting enough sleep, mindfulness, and connecting with loved ones do have real positive effects on avoiding burnout and sustaining one's emotional well-being. CARE's team meetings – whether with student interns or professional staff – typically were closed out with a check-in on what each person would be doing for self-care that week, and I've even implemented this in my discussion sections as a TA and instructor. Asking how students are taking care of themselves, or what has brought them joy in the past week, can recognize their holistic sense of personhood outside of the work or classroom context.

There is also potential in bridging the gap between self- and community-care, and therefore connecting self-care to questions of power and politics – a demand I heard regularly from staff and student interns in the CARE office and other identity-based offices on campus. My thinking here is indebted to the work of Audre Lorde and other Black feminists who highlight the radical and revolutionary potentials of self-care in a racist, patriarchal, and ableist society. Lorde's statement that "caring for myself is not self-indulgence, it is self-preservation, and that is an act of political

⁹ Rosi Braidotti (2007) suggests that biopolitics can also be a source of affirmative politics – of empowerment, solidarity, and resistant struggle. I see something similar in the biopolitical imperative of self-care. I thank Professor Banu Bargu at UCSC for attuning me to this work.

warfare” (Lorde 2017[1988], 130) is commonly reproduced on popular feminist media about self-care or setting boundaries, though often out of context. It is crucial to recognize the standpoint of Lorde writing as a Black lesbian woman battling cancer, whose life was shaped by what Saidiya Hartman calls “the afterlife of slavery” (2008, 8). Lorde’s tireless fighting for survival both from cancer and from the violence of sexism and racism more broadly models a form of living in the wake of violence that is not merely about the self, but about sustaining an ethical and political commitment to freedom for her community. Thus, if we are to take seriously an ethic of care that resists a biopolitical and capitalist mode of governance and intervenes in the self-care regime, then community, intersectionality, and social justice must be centered.

Chapter 3 – Survivor Stories: Fragments as/of Care

So it is better to speak

Remembering

We were never meant to survive

- Audre Lorde: *A Litany for Survival* (1978)

The first time I met Ariana¹ was in the CARE office, but she had not come in specifically for an advocacy appointment. Rather, CARE was having an ice cream social to celebrate the start of the school year and our move into a new office in Oakes college. This event was held during Welcome Week after our big annual orientation program, Slugs CARE, and was intended to be a low-stakes way to introduce students to our office’s services with free ice cream, music, and swag.

I was mingling and introducing myself as a new staff member, while encouraging CARE’s new peer education interns to interact with students by modeling an “elevator pitch” about the office. A young woman with big curly brown hair and plastic rimmed glasses came in alone; her arms were wrapped around her chest in an oversized sweater despite it being a sunny September afternoon. I introduced myself and asked if she was familiar with CARE. We chatted casually about the start of the school year, and I was excited when she mentioned she was looking forward to an anthropology class that quarter. I shared that I was also a graduate student in the anthropology department and hoped she’d enjoy the course. I

¹ As a reminder, Ariana is a composite of four clients who I worked closely with as a confidential advocate in the CARE office. I have written Ariana as a Latina-identified, non-traditional student parent from Watsonville, in Santa Cruz County.

let the interns pick up the conversation while I continued scooping ice cream and introducing myself to students.

Fifteen minutes later, Ariana approached me and asked quietly if we could talk privately. We went into my office and sat on opposite couches. Ariana confessed that she had been meaning to come to the CARE office for some time but had not gotten up the courage. She told me that she had a difficult summer navigating an emergency move into Family Student Housing, referred to herself as a survivor, and mentioned feeling anxious about running in to her assailant in Santa Cruz, but she didn't know what CARE could actually do for her since she already had a therapist. She spoke quietly and vaguely, and while her huddled body language indicated an uncertainty about this conversation, her gaze was steady at my face. I told her explicitly that she did not have to share any details for me to be able to provide support, resources, and accommodations, though I was there to listen if she wanted to. I asked if she would want to fill out an intake form to get set up as a client and schedule an appointment. Ariana wavered. She stated that she found it hard to talk to people who did not understand her experiences, and as a Latina, first-generation student who was a single mother, she already felt like she didn't belong on campus. Before deciding, she asked how I got into this role – as my previous mention of being a graduate student in anthropology piqued her interest. As I shared that I was doing research on survivors' experiences, she pushed me beyond the logistical response of my intellectual questions about sexual violence – “And why did you choose to study

this?” I got the sense that Ariana was searching for something more personal, for a shared vulnerability to trust whether I would be an ally and resource for her.

As an advocate, one thing we are trained not to do is discuss our own personal experiences with clients; the role should be in service of the client, and we must be careful about modeling a singular vision of response, recovery, or healing through sharing our own histories. It is well documented that most people who go into sexual assault or domestic violence advocacy have their own experiences of working through trauma or survivance, and many staff in advocacy organizations are open about their status as a survivor and speak about this publicly as activists (even as they refrain from discussing it in client sessions). I chose in that moment to share with Ariana in similarly vague terms that “personal circumstances underlie my commitment to this work,” which signaled my own sense of belonging with the community of survivors in which Ariana found herself enmeshed.² This form of witnessing – that is sharing in mutual vulnerability with someone you don’t yet know – formed the condition of possibility for our working relationship.

² I admit I feel apprehensive about even writing this here. While of course I have experiences too numerous to count that fall under the broad categories of sexual and interpersonal violence and harassment, I do not personally find the label of survivor a meaningful self-referent. As a researcher – like as an advocate – I often feel the tension between being compelled to disclosure and to silence. I am often read, expected, or assumed to be personally impacted by these experiences as what underpins my commitment to the work – lest it be merely voyeuristic. Yet at the same time, research on sexual violence in the academy is often dismissed as “me-search,” merely a personal rather than an intellectual and theoretical endeavor. Anthropology as a discipline is still complicit in this dismissal, even as scholars like Alix Johnson (2016; 2017), Mingwei Huang (2016), Megan Steffan (2017), and Kate Clancy (Clancy et al. 2014; R. G. Nelson et al. 2017) (among many others) have done important work to think about sexual violence in relation to our disciplinary conditions of possibility, including fieldwork and our intimate dependence on faculty mentors.

Ariana and I continued to meet and work together for the next two years, and I continued to navigate being personally open while maintaining professional boundaries. She frequently talked in terms of *we* – “as we have experienced...” or “survivors like us...”. This particular form of shared identification seemed to take precedence over various other ways in which our identities, backgrounds, and experiences did not align, such as our different racial and class backgrounds (mine both being a position of privilege), Ariana’s experience as a mother and non-traditional student, her commitment to her faith community, and more. Ariana also resisted the unidirectional nature of support typical in advocacy by always asking me how I, my partner, and my dog were doing, how I was navigating the shelter-in-place orders, and how my dissertation research was going. Throughout these two years, we never talked explicitly about the experience that first brought her into the CARE office – and in fact in her client record in our case management system I classified the nature of incident as “undisclosed” for over a year and a half – though we did talk *around* it, such as in discussing her experiences in trauma therapy, changes to her community support during the pandemic, impacts of the “anniversary” of her assault, navigating childcare as a newly single parent, and her sense of responsibility as an older sister to be a good role model for her siblings to shield them from futures of harm. These fragments and silences are a part of constructing a story of survival, and the fragmented form is one I want to take seriously in this chapter as an ethical practice of witnessing, care, and worldmaking.

Situating trauma, care, and witnessing

To understand witnessing as a practice of care and worldmaking, let me first situate its relation to the discourse of trauma. Trauma brings together questions of affect, language, the body, and relationality. The field of trauma studies is broadly indebted to Freud's work on the unconscious. Psychoanalytic discourse understands trauma as a shattering or a break, which marks a cognitive and embodied response to a past event of violence that makes such experience unknowable and unspeakable (e.g. Caruth 1996; Herman 1992). As Cathy Caruth writes in her analysis of Freud's literature on trauma:

The wound of the mind – the breach in the mind's experience of time, self, and the world – is not, like the wound of the body, a simple and healable event, but rather an event that ... is experienced too soon, too unexpectedly, to be fully known (1996).

While the discourse of trauma makes claims to universality, it in fact emerges from a distinctly Western, liberal ideology of the individual psychologized subject.

The dominance of a psychoanalytic frame has been complicated by more recent scholarship on embodiment, structural violence, and collective trauma. The popular psychology book, *The Body Keeps the Score* (2014)³ by Bessel van der Kolk, draws on neuroscience research to see how traumatic events work through the mind-body connection – such as through reshaping neural pathways and responses from the amygdala or resulting in an array of physiological symptoms. Van der Kolk's work

³ Interestingly, while this book was published in 2014, people all over campus seemed to be discovering and reading it at the height of the Covid-19 pandemic in 2020-2021. While working for the CARE office, I regularly heard students and colleagues (and not only those working in advocacy or mental health services) reference that they were currently reading this book.

shows that the embodied response of hyperactivity and alertness to danger must be regulated for healing to take place, and this healing often happens in community. Lauren Berlant has referred to trauma as the “primary genre” (2011, 9) of the present, wherein trauma is figured as a scene of exception or crisis that shatters the “good life” people imagine. In this way, I read trauma as a form of collective affect. Berlant shows us that discourses of crisis and trauma mark violence as exceptional and temporally limited, which obscures the structural nature of violence. This is evident in studies of collective trauma, such as those resulting from war and mass atrocities like the Holocaust, and the acknowledgement of intergenerational trauma, such as repeated sexual violation of black women in the United States.⁴ Certainly, the last three years since Covid-19 has seen a surge of conversations about collective trauma due to the pandemic’s mass effects through isolation, stress, and loss of loved ones.⁵

These frameworks all raise important questions about the relationship of trauma to language and temporality. Elaine Scarry’s work has been formative for thinking about the impossibility of language in relation to bodily injury, as she suggests that “physical pain does not simply resist language but actively destroys it” (1985, 4). In this view, pain – or, as I see relatedly, trauma – becomes radically singular and unknowable by others. This reduction of the subject and “unmaking” of language limits possibilities for witnessing, politics, and empathy. And yet, Scarry

⁴ While I don’t have space to delve into this further, the field of epigenetics has sought to find a biological/material basis for locating intergenerational trauma – bringing embodiment and collectivity together.

⁵ The next chapter on trauma-informed pedagogies will more fully return to this figuration of collective trauma during the pandemic moment, as well as critique the ways this flattens differential experiences and impacts of trauma that result from histories and structures of marginalization and violence.

does acknowledge the body in pain contains both the “making and unmaking of the world” (Scarry 1985), where the political consequences of shattering language necessitate creative and artistic world-making activities. Other ethnographic scholarship has shown that trauma can become a language for bearing witness to suffering, enabling forms of recognition, and validating claims to justice or compensation through testimony (e.g. Fassin and Rechtman 2009; Patsavas 2014; Ticktin 2011). This mode of worldmaking is powerful, even if, as Berlant (2001) suggests, trauma is *ineloquent* in how it translates (or fails to translate) bodily distress through testimony.⁶

The imperative of testimony depends on neoliberal and biopolitical ideas about agency and the coherent subject, as well as teleological frames of violence and survival – whereby survivors are responsible for their own care. Judith Herman’s book, *Trauma and Recovery*, argues that recovering from trauma is a process of “reconstructing a story” (1992, 176). This is because, as Caruth suggests, narratives of trauma fill the space “between the story of the unbearable nature of an event and the story of the unbearable nature of its survival” (1996, 7). A unidirectional temporality of empowerment and recovery and a notion of the liberal subject underpin this formulation of trauma, whereby the subject is refigured as whole only through the coherence of speech. Following feminist and disability scholars, we should complicate this hailing of speech as agency by considering what is enabled by

⁶ They write: “Deemed otherwise unspeakable, the unrepresentable truths of traumatic subordination and negation must be translated into modes of rhetorical failure dramatic enough about ongoing violence to be effective in communicating trauma as a visceral and cognitive experience” (Berlant 2001, 44).

silence (e.g. Gal 1991) and artistic representation (Patsavas 2014). Context also matters. Language does not merely reflect reality as some objective material formation (e.g. Jurecic 2012; Scott 1991), it can *manifest* claims to justice and belonging through an intersubjective dialogue between speaker and witness and can compel accountability (Alexievich 1992; Fernandes 2017; Jackson 2002; Shuman 2005). As Veena Das suggests:

[Pain or trauma] is not that inexpressible something that destroys communication or marks an exit from one's existence in language. Instead, it makes a claim asking for acknowledgment, which may be given or denied. In either case, it is not a referential statement that is simply pointing to an inner object (1996, 70).

It is in learning from Das that I understand *witnessing* trauma to be a moral and relational practice of care and worldmaking.

By worldmaking, I draw on scholarly approaches to ethics that situate care as the worlding activities that enable us to live well (e.g. D. Haraway 2008; Parreñas 2018; Puig de la Bellacasa 2017; Tronto 1993). Worldmaking helps me to figure the relational modes of belonging and care produced through witnessing and imagining an otherwise. As Lauren Berlant and Michael Warner explain in “Sex in Public”:

World, like ‘public,’ differs from community or group because it necessarily includes more people than can be identified, more spaces than can be mapped beyond a few reference points, modes of feeling that can be learned rather than experienced as a birthright (1998, 558).

Relatedly, Dorinne Kondo writes in *Worldmaking* that “‘Worlds’ invokes the multiple levels at which such interventions [artistic, scholarly, and activist] occur: the world of the play, our social world, Klein’s inner world populated by our inner objects, and the world-making assumptions of theory and culture” (2018, 54). Extending from these

scholars, worldmaking helps me to center the process, enactment, and effects of articulating violence and aspirations as they *unfold* through survivors' narratives.⁷ I want to take seriously the effects of such articulations and how their claims manifest certain futures – of healing, recovery, justice, and inclusion.

The imperative of storytelling

In April 2017, during my first year at UC Santa Cruz, I attended the campus's annual Take Back the Night (TBTN) event. Over 100 students attended the march, and more than double that were at the keynote and Survivor Speak Out. We marched through the campus, many students holding handwritten signs and megaphones, collectively shouting slogans that organizers passed out on small strips of paper: "Survivors unite/ Take Back the Night," "Shatter the silence/ Stop the violence," "Our bodies, our rights/ We are here to take back the night." Ending at the Oakes College events center, we gathered over food to listen to the keynote speaker, Amita Swadhin. Swadhin is a survivor and activist who speaks openly about their personal experiences of child sexual abuse as a way to heal through narrative. They are a person of color and embed gender-inclusivity in their work. In the keynote address, Swadhin stated that a Survivor Speak Out is a way of "respecting the agency of

⁷ I am also drawing here implicitly on the brilliant insights of Veena Das (e.g. 1995; 2007), whose scholarship shows how violence is attached to the everyday structures of sociality through memory and the embodiment of pain, which opens possibilities for care through witnessing. Das complicates an easy temporal association of a before and after violence – or a linear form of trauma and recovery. Rather, Das is interested in the unfolding of violence and care. She writes (with Clara Han): "Healing, then is not some kind of a return to the everyday after all accounts have been settled, but being able to inhabit this very space of devastation once again in a mode [of]... care" (Das and Han 2015, 30).

survivors” by allowing them to control their own narratives. Following Audre Lorde, Swadhin stated that self-care is a political act; healing can translate into activism. Healing and care both come from being in community and from being believed.

I later interviewed two student interns involved in the event – Anna and Taylor. I found Taylor picking up her iced tea from the coffee bar in Café Iveta on campus; she was eager to meet and hear about my project. Anna showed up five minutes late, her brown hair still wet from the shower, but dove right into the conversation. They described TBTN as an “origin point” for building community and solidarity among survivors by creating a space for both healing and activism. Because Anna and Taylor were planning the event when the settlement of a sexual assault case involving a UCSC faculty member was made public, they intentionally wanted to cultivate TBTN – including the march, keynote, Survivor Speak Out, and healing circle – to address not just acts of interpersonal violence, but also the structures of power that perpetuate those acts. They explained that they were intentional about wanting to create a space that was intersectional and inclusive for a variety of survivor experiences,⁸ and this was reflected in inviting Swadhin to be the keynote speaker. Anna and Taylor shared that many students told them after the event how powerful the Speak Out was for them. Historically, TBTN has been a turning point

⁸ This is based not only on identity, by centering queer, gender non-binary, first-generation survivors of color, but also the nature of experience. Bringing childhood sexual abuse and domestic violence into the conversation interrupts ideas of who is a survivor on university campuses, such as the dominant script of alcohol-induced sexual assault at college parties. Advocacy support is available to all survivors on campus, not only those who experience assault while on campus or during their time in college.

for student survivors and allies to become more involved in advocacy efforts against sexual violence.

The idea that sharing your story leads to healing, community, and activism is foundational to the framework of Take Back the Night. I give a fuller accounting of TBTN's history in the Introduction, but it is worth repeating in part here to highlight its emergence as a dominant mode of violence prevention and healing through survivors speaking out about their experiences. Take Back the Night began in the 1970s as a grassroots mobilization of mostly young, college-aged women as a means to bring public attention to the problem of violence against women. This event started at the same moment as "consciousness raising" was emerging as a powerful tool of feminist mobilization and political engagement, which depended on the ideas that sharing one's own story created space for others to not feel alone and that collectively acknowledging shared experiences illuminated broader structures of gendered power, inequity, and violence. Sexual assault and harassment in the 1970s became named not as things that just happened to unfortunate individuals, but as systemic forms of gendered oppression that could be resisted and changed. Storytelling and witnessing formed the condition of possibility for awareness, healing, and political engagement.

I discussed above the theoretical literature around the relationship of trauma to language, where the act of speaking about one's experience of trauma, pain, or suffering is situated within a process of recovery. In the context of sexual violence specifically, testimony is frequently figured as a way to restore victims of trauma and "shatter the silence" of sexual violence. Testimony is often theorized in a legal

context, where the violent demand of describing one's trauma is figured as the only way to achieve justice—yet in practice the action of doing so can lead survivors to experience victim-blaming, attacks on their credibility, and institutional betrayal (Baxi 2014; Matoesian 1993; Mulla 2014). However, the demand of testimony extends beyond the legalistic realm. Linda Alcoff and Laura Gray (1993) interrogate the ways in which survivor speech can be both liberatory – by enabling politicization of experience as TBTN events are intended – and at the same time reinforce subordination. They write:

When breaking the silence is taken up as the necessary route to recovery or as a privileged political tactic, it becomes a coercive imperative on survivors to confess, to recount our assaults, to give details, and even to do so publicly (Alcoff and Gray 1993, 281).⁹

In this way, we have to complicate the voice as inevitably liberatory and empowering, but rather consider the complicated ways that speech and silence are enacted within particular contexts of power.

The previous chapter argued that dominant pathways and expectations of recovery after sexual violence – namely, reporting and therapy – script how individuals come to make sense of and narrate their experiences. Reporting and engaging in a legalistic process of investigation compel full disclosure of details and narrating what happened in a linear form (as we saw with Maddy's case in Chapter 1 and Farah's interview in Chapter 2). Relatedly, finding language to express what

⁹ Relatedly, Veena Das writes in reflecting on her own research on questions of Partition, loss, and violence in India, “There is even something heroic in the image of empowering women to speak and give voice to the voiceless. I have myself found this a very complicated task, for when we use such imagery as breaking the silence, we may end up using our capacity to ‘unearth’ hidden facts as a weapon” (1996, 88).

happened – naming it as assault, rape, or harassment – or to self-identify is an important component of producing victims into survivors. While advocacy can interrupt this disclosure by not requiring details before providing services for clients, survivors finding language to articulate their experiences is still often celebrated as a metric of success in institutional care practices.

Many survivors have internalized this script that equates speech with healing even outside of institutional processes. As one respondent to my survey wrote:

It's taken me many hours to click the next button on this survey. I feel like I don't deserve to share my story since I feel so invalid and guilty for sharing this even though I know that I don't need to feel guilt for sharing my experience. But sharing this is important to me as I am hoping to feel a sense of validation and acceptance within myself about this experience and further my healing process.

It's important to acknowledge here that the flyers I posted around campus and shared electronically to solicit participation had the bold heading: “Share Your Story.” The therapeutic language of wanting to feel validated that this student used is enshrined within the idea that sharing one’s story is valuable as both a matter of research and personal healing. Thus, in my roles both as a researcher and staff member in the CARE office, I participated in this figuration of language as healing both as an advocate – in aiming to provide a safe, supportive, and confidential space where survivors could open up – and as a planner of healing and prevention programs that offered tools and spaces for survivors to share their story.

And yet, survival itself is not always the end goal. Once a survivor has found the language to put to her experience, there is often an assumption that she continues to tell her story, as an activist who participates in care for and the betterment of a

community beyond oneself.¹⁰ In May 2019, at a rally outside a professor's academic senate hearing after his very public Title IX case at UCSC, the complainant gave a speech. In it she stated that she had gone from being a victim of the professor's assault, to a survivor in reporting what happened to her friends and ultimately to the Title IX office, and now to an activist who was using her voice to demand accountability and safety for the campus community.¹¹ This three-stage process – of moving from victim to survivor to activist – uplifts the power and potential of storytelling to build worlds out of violence, though we must take care not to model this as the *only* valid pathway for healing and finding belonging.

Witnessing and worldmaking: fragments of sexual violence

As I saw throughout the past six years of listening to survivors at UCSC, the context, form, and content of their narratives afford different potentialities for care, healing, justice, and belonging. The imperative of storytelling can in some ways be a biopolitical tool whereby developing language for articulating what happened through advocacy or therapy is part of the process of a survivor becoming responsible for her own healing. It can also re-entrench institutional forms of power, exclusion, and

¹⁰ We see this imperative reproduced in the valorization of figures like Tarana Burke, who founded the Me Too movement and has worked to empower young people of color impacted by sexual violence, Amanda Nguyen, who drafted the Sexual Assault Survivors' Bill of Rights and has spoken publicly of her experience being assaulted while a student at Harvard to enhance legal practices around rape kits and evidence collection, and Christine Blasey Ford, who testified publicly and articulately about the long term impacts of trauma and memory at the Supreme Court confirmation of Brett Kavanaugh. While of course these are all incredible women, this is not the only praxis of survival worth celebrating.

¹¹ While I unfortunately do not have a recording or transcript to quote her directly, I did take notes as this language of naming herself a victim, then survivor, and now activist really struck me as marking a certain kind of survival script that resonated with students at Santa Cruz.

inequities by demanding linear coherence and explicitness that put the survivor's body and pain on display. While survivors did find ways to “flip the script” (Carr 2011) or refuse these narrative demands within their institutional contexts (see Chapters 1 & 2), it was in Survivor Speak Outs, social media posts, community forums, and activist settings that I saw student-survivors experiment most explicitly with the narrative form in their efforts to demand accountability, build community, and foster their own wellbeing.

The creative experimentation of survivor storytelling is a form of worldmaking, a way of building a shared sense of belonging by speaking back to their experiences of power and violence. I am compelled here by Dorinne Kondo's *Worldmaking* (2018), which theorizes race-making within the theater through performative and affective dimensions. For Kondo, worldmaking is an always-already collaborative process. She situates “reparative creativity” as “a way to remake worlds to counter the affective violence of minoritarian life” (Kondo 2018, 213). I read a similar creative and reparative impulse in the survivor stories that follow, as survivors insist on partiality and the life-affirming potentials of witnessing, whether in spoken, written, or artistic formats.

In the remainder of this chapter, I take seriously how the *fragment* engenders ethical and political possibilities for witnessing, care, and belonging in the wake of sexual violence both within and outside of dominant regimes of care. I'm interested in how the fragment engenders intellectual, political, and ethical possibilities for justice and belonging on campus. Yet I want to take care here as well. By naming “the

fragment,” my intention is not to suggest that these narratives are merely part of a “whole” that is more real, more complete, or more true. As poststructural theorists have argued for at least three decades, all “truths” are necessarily partial, and knowledge is always situated (e.g. Haraway 1988). Rather, I use the fragment as a heuristic to think through those narrative forms that disrupt the teleological and linear expectations of dominant scripts and institutional demands, such as are embedded in a Title IX investigation or therapeutic expectations of recovery. As narratives that unfold over time in non-linear form, fragments mirror the embodied experience of violence and trauma. Fragments mark partiality and rupture by calling attention to that which is left unsaid. They resist sensationalizing violence. I suggest that, in so doing, the narrative form of the fragment can build communities of care and open political possibilities for reimagining what counts as testimony.

1. “Professor G is a sexual predator”

In the Spring of 2017, black sharpie appeared on the walls of bathrooms in the UCSC Humanities building. The text stated: “Professor G is a sexual predator.”¹² This statement launched a heated controversy around Title IX and campus sexual violence. Emerging in the wake another faculty’s Title IX settlement, Professor G’s colleagues – mostly tenured and emeritus faculty – surprisingly condemned the

¹² Note, the written statements called the Professor out by name. I’ve chosen to use only a first initial here in this section *not* to protect his identity, but rather to decenter the abuser in my discussion of the potentiality of survivor statements. Anyone familiar with UCSC will immediately know this reference, and otherwise this case can be easily searched and found online, as there were dozens of news articles written through the investigation’s duration.

graffiti in a public email. The faculty urged the anonymous writers to instead utilize official reporting mechanisms. This scribbled sentence – anonymous and hanging on its own – was easily dismissed as irresponsible by those higher up in the academic bureaucracy. However, the statement also became a condition of possibility for alternative means of political engagement and ethical relations.

What is to be taken from the writing on the wall? “Professor G is a sexual predator.” While a complete sentence, it contains no object. It resists Catherine MacKinnon’s (1989) formulation of women’s inherent positioning as sexual object through the sentence form.¹³ It also refuses the trauma paradigm that demands laying bare the experience of sexual violation. Rather than a narrative that testifies as evidence to a past event, the “is” marks longevity – a past, present, and anticipated future of sexual predation. Despite the potentials of this linguistic and temporal disruption, however, the singularity of this statement limited its ability to serve as evidence in a formal Title IX process.

Singularity also opened room for the professor’s supporters, including esteemed colleagues, to discredit the statement.¹⁴ Their concern centered on due process, reputation, and histories of racialized accusations against men of color, rather than on the students whose access to a safe and equal academic environment was obstructed. One faculty member wrote in an email that was made public, “If we give up the principle of innocent until proven guilty, we are in danger of devolving into

¹³ E.g. “Man fucks woman; subject verb object” (1989, 124).

¹⁴ Such discrediting also played out in news media that took comments from Professor G and his colleagues, including a Chronicle of Higher Education article whose title characterized the complaints as paranoia and focused on “bullying” tactics of vigilante students ([see Mangan 2018](#)).

witch hunts.”¹⁵ The specter of witch hunts has been repeatedly summoned in the post-Me Too era, indexing anxieties about false rape allegations and the loss of male privilege. By reversing the gendered structure of violence contained in historical witch hunts through such claims (see Federici 2004), the authors defer questions of power, patriarchy, and hierarchy embedded in the academy. I also heard other campus community members express that they were concerned about the racial politics at play – suggesting that the allegations reproduced a historical narrative of positioning men of color as sexual predators because Professor G was of South Asian background.¹⁶ The positioning of faculty as more enlightened around questions of race, due process, and appropriate conduct became a foil for the coalescence of academic power.

I, along with many others both on and off campus, found the language of the faculty statement incredibly troubling. In response, outcry through student activism and a flurry of public statements were circulated both on and off campus, including from the Graduate Student Association, the Feminist Studies department, the Interim Campus Provost, the graduate student union (UAW), and the Chronicle of Higher

¹⁵ To give a little more context, this email thread was started by tenured Humanities faculty that went to a division-wide list of instructors, which included graduate student instructors who chose to make it public by sharing with the graduate student campus body. As further evidence of this kind of circling the wagons and entrenchment of faculty power and privilege, the original signatories sent a follow up statement one month later that stating: “we write to express our genuine regret that our message’s effects have gone so far astray from our intentions” without acknowledging its impacts on survivors. This letter was linked and made public in a BuzzFeed article about the case (see [Subbaraman 2018](#)).

¹⁶ While I don’t want to spend too much time on this, I do find it curious that this framing of “men of color” as victims of racist allegations and unfair public persecution obscures the particular racial history of the United States, where black men specifically have been disproportionately targeted, lynched, and imprisoned for sexual assault (even when those claims were patently lies) (see for instance Block 2012; Dorr 2004).

Education. Some of these responses acknowledged that the faculty statement was blind to the privilege and power afforded by tenure and the reality of retaliation that many survivors face if reports are made. It focused on survivors' tactics of writing on the wall, rather than on Professor G's actions. It also presupposed that official actions were *not* taken, when, as was later confirmed, reports were in fact filed. A Title IX complainant circulated a letter through UAW that highlighted the material effects of dismissing anonymous complaints on survivors' safety and emboldening perpetrators. They wrote: "The characterizations of complaints put forth in the faculty thread create an epistemological nullification of the very real stories of harm, structuring them not only as false, but as in of themselves violent in a reversal of the subjects to which harm has in fact been done." I still find it curious that throughout all these public conversations, the primary emphasis was on reporting and very little mention was made of CARE or other support resources. Title IX continues to dominate the campus imaginary as a remedy for sexual violence and served as a foil onto which others (like the professor's esteemed and tenured colleagues) to defer responsibility for community safety and accountability.

The following Fall, Professor G was placed on involuntary leave (*with pay*) while Title IX began an investigation. But tensions on campus remained high, and students were concerned by the administrative silence about how Title IX was responding as well as by public reports of retaliation (see Gladu 2018). The case resolidified mistrust in the institution – collapsing varied actions by Title IX, tenured faculty, and other administrators into "the university" response. Six months after the

bathroom wall writing, a Google document with seven anonymous yet specific accusations against the professor surfaced (see also Subbaraman 2018).¹⁷ These seven narratives, ranging from one-half to one page each, detail a specific event of sexual violence or misogyny experienced or witnessed by the narrators, who identify as undergraduate and graduate students. The actions described in this letter range from giving students cocaine at parties, to hitting on students, to climbing into bed naked with women while they were sleeping, cornering graduate advisees behind locked doors or trapping them in his car, and generally violating personal and professional boundaries. Some attest to the emotional effects of the Professor's behavior – "I am writing this now although it gives me so much anxiety;" "I spent time blaming myself;" "I felt very uncomfortable." How do such affective claims lend legitimacy to these narratives? And how do they enable recognition among their readers?

On their own, each statement is troubling; however, I contend that it is precisely their collectivity that gives these fragmented narratives their potential. Isolating these stories could open room for critique, victim blaming, and disbelief. But taken together, they – like other such stories – can illuminate a pattern. They also create belonging. The collection of voices in testimonial form stakes a claim to authenticity – each validating the other's experience, sometimes explicitly as in Statements 1 and 1B, but also implicitly. The letter writers state that their intention was not to influence university or legal proceedings, but rather to "address a broader

¹⁷ The full text of the letter can be found here: <https://www.kractivist.org/public-statement-on-gopal-balakrishnan-and-sexual-harassment-vaw/>.

‘we’ – the community of intellectuals, academics, radicals, and current and former students of which [Professor G] is and has been a part,” thereby interpellating the reader into a process of community accountability and worldmaking that envisions a campus without sexual violence. Their letter is situated within a broader ethos of radical thinking and social justice that have formed UCSC’s ethos since the campus’s founding (as I discussed in the Introduction):

Access to a political and intellectual community is not an unequivocal right. If a person cannot be trusted to treat others with respect for their wellbeing and autonomy then they have lost the right to have access. This is especially the case because, as radicals, we work to make our ways of relating to one another reflective of the world we’re trying to create. If we can’t take a stand against the misogyny ingrained in our own milieus, then what right do we have to claim a role in making a better world?

While the explicit goal of this statement was not to provide evidence to Title IX, such collective statements are also critical in legal and institutional claims. In the absence of forensic evidence, sexual assault cases are often framed colloquially as “he said, she said.” In a patriarchal social order, combined with the presumption of innocence until proven guilty, his word takes precedence. But the scales can be tipped with more stories on the other side.

Title IX investigations, as with legal cases, require evidence that holds weight.¹⁸ Investigators desire complete and linear narratives, a framework that does not align with the experience of trauma. They also demand descriptions of victimization, which risks voyeurism of injury or “pornotroping” (Spillers 1987),

¹⁸ Note that Title IX cases use a “preponderance of the evidence” standard, not requiring cases to be found “beyond a reasonable doubt” as in the criminal justice system.

where representations of violence and suffering are made for another's pleasure. In an interview, UCSC's Title IX officer told me that rumors and anonymous reports are difficult to investigate because they don't have the context needed to verify their authenticity. The statement, "Professor G is a sexual predator," cannot be taken at face value on its own by purportedly neutral investigators. There is no preponderance of evidence for Title IX to verify. The sentence is too singular. Herein lies the risk of fragmentation. On the other hand, the seven stories contained in the letter give some context that can be mined and traced. The narratives vaguely delimit time frames (though are not listed chronologically), describe locations of houses and bars where the incidents took place, and include names of signatories to contact. These narratives encouraged other survivors and witnesses to come forward – one of whom formally signed on as a complainant, which enabled an institutional investigation and finding – and engendered robust student activism and community engagement around dealing with the problem of sexual violence on campus. These fragmented stories, shared publicly in a Google document, contain a community of care built through the performative acts of witnessing and recognition.

2. *Me too*

#MeToo emerged in the midst of Professor G's case. The hashtag was a call from actress Alyssa Milano for all women¹⁹ who've been sexual harassed or assaulted

¹⁹ I say women not to essentialize who is impacted by sexual violence, but to mirror Milano's language. Her post was: "If all the women who have been sexually harassed or assaulted wrote 'Me too' as a status, we might give people a sense of the magnitude of the problem."

to write “me too” as a response to her tweet on October 15, 2017. The hashtag has profoundly shifted public discourse around sexual violence by tying it to the ordinary and the everyday through the proliferation of stories. Sexual violence was reframed not as a singular event, but as contained within a series of routine experiences of sexualization, harassment, and abuse. “Me Too” was initially formed by Tarana Burke as a grassroots movement centering black women and girls that aimed to reduce the shame survivors feel through the vulnerability of acknowledging a common experience. After the hashtag, the “crescendo of voices” (B. Williams 2017) that permeated social media created a national and international moment of cultural reckoning. This hashtag spread like wildfire, igniting a flame under survivors who were fed up with a climate of sexism, with being silenced, with dealing with pain on their own. For some, posting “me too” was a form of political engagement; for others, it was a source of healing (and for many, it was both).

The fragment is both a productive and familiar form of writing about sexual violence. On Facebook and Twitter stories are shared with as little or as much detail as the writer wants. And, as many of my friends noted on Facebook, silence – or a lack of a “me too” – does not mean that person has not experienced sexual violence or sexual harassment. It’s well known that the vast majority of sexual assaults are not reported. There’s an implicit belief in the power of “shattering the silence” through movements like Me Too. Yet as feminist scholarship has shown us, it’s important to be critical of any easy equations of voice and agency. Speaking has risks; it may be violence. Silence can be an assertion of autonomy – a refusal to make trauma visible.

I contend much of the power of hashtag movements like #MeToo lies in the very condition of collectivity. While one instance of sexual assault should be enough to make us outraged, often many are needed to have force. If one story is not believed, there's no way to discredit dozens, hundreds, thousands. Unlike earlier hashtag movements, such as #YesAllWomen in 2014, the discursive framing of "Me Too" makes it harder to argue against someone's personal experience. While "Me" marks singularity, "Too" acknowledges solidarity. The collective movement allows you to see you're not alone, to "like" or retweet statuses as a form of support, to comment "I'm so sorry this happened to you" or "I believe you" as a virtual form of care. These actions are performative, sure, but their enactment has real effects. This is a grassroots politics of solidarity at work.

This is not to say collectivity deserves no critique. As Diane Nelson (2015) reminds readers, numbers are not neutral. The question of who counts – whose stories matter – is inflected by race, class, and gender. Within mere hours of Milano's post, my Facebook feed was filled with dozens of friends sharing articles titled something like "A Black Woman Created the "Me Too" Campaign Against Sexual Assault 10 Years Ago." There was a rush to bring intersectionality to the current movement, a move that was in some ways performative but also offered a real critique and intervention into the politics of solidarity and emphasis on retribution for individual perpetrators.²⁰ While I don't have space to do justice to these critiques here, it's worth

²⁰ One really interesting critique came in the form of a letter of solidarity from an alliance of women farmworkers to women in Hollywood; it reminded the public to pay attention to precarity of women other than those wealthy and famous. <http://time.com/5018813/farmworkers-solidarity-hollywood-sexual-assault/>

reflecting on how fame, whiteness, and gender structure who “counts.” At the same time, I don’t want to easily flatten the diversity of participation through #MeToo. The hashtag did open space for a variety of stories to be told. In the act of witnessing, narrating experiences of sexual violence was for many a source of healing, political engagement, and finding community.

Me Too on a broad scale manifests a world where survivors are believed from the outset. It refuses the voyeuristic demand that one must share explicit details of violation to deserve support, belief, or inclusion in an “imagined community” (Anderson 1983) of survivors. By stating “me too,” survivors’ narratives shared publicly stake a claim to authenticity. As Fassin and Rechtman (2009) argue, testimony – and particularly that of trauma or pain – holds epistemological authority for its proximity to the experience of violence. In this way, testimony is presumed attached to “the real.” Yet as Joan Scott (1991) suggests, appealing to experience as evidence overlooks how experience itself is constituted through historical fields of power. What does this mean for the imperative to “believe women” that has figured prominently in recent survivor discourses? The question of belief matters differently across institutional and social contexts. As we saw with Maddy’s Title IX case (see Chapter 1), a finding of responsibility does not always translate into feeling believed or validated. In the space of advocacy, my insistence that I could support without needing detail and my acknowledgment of “me too” broke down barriers for Ariana to access CARE’s services and to trust that I would be a support and ally to her. This trust was not inevitable, as Ariana expressed she routinely felt excluded within the

university as a Latina, low-income, single parent and trauma survivor with psychological disabilities whose experiences were not accommodated – even within a Hispanic-Serving Institution (HSI) and with access to other student support centers.

Saying “me too” builds a community of care through the intimacy of shared vulnerability. I do not mean to uncritically romanticize either intimacy or vulnerability or presume an inevitable association of care with “the good.”²¹ If my training and work as a domestic violence advocate has taught me anything, it is that intimacy, kinship, and caring relations can be violent and painful. Vulnerability is a risk. And yet, I want to uplift the worldmaking potentials of this fragmented form of witnessing and vulnerability. Me Too does not require or expect disclosure by either the teller or the listener; it is an offering of recognition, of solidarity, of belonging.

3. Rooted in resilience

My reflection is an ugly woman,
Filled with anger,
And vexation,
Who will strike back
Without hesitation.

- Excerpt from “I’m Ugly” in the *Rooted in Resilience* booklet

As a staff member in the CARE office, I found myself responsible for overseeing the planning of our student-led annual Take Back the Night event in April 2020. In collaboration with student interns from the UCSC Womxn’s Center, we began meeting in January to lay out strategic goals, timelines, and responsibilities for

²¹ Here I am heeding Michelle Murphy’s call to “unsettle care” (2015) from associations with the good or with positive affect and to trouble the political and power arrangements that underlie care practices.

putting this event together. We planned a series of tabling, crafting, and healing activities for the week around the Survivor Speak Out events to raise awareness about sexual violence and consent, provide space for survivors' healing, and engage the campus in building a safe and supportive community. However, two months into planning and one month before the event, the world was disrupted and halted by the Covid-19 pandemic. As students were suddenly sent home and the campus shuttered all in-person activities, CARE was at a crossroads. Does TBTN still matter when everyone is sheltering at home with other worries on their minds? Advocates were spread thin supporting survivors with varying forms of distress, safety concerns at home, and isolation. Therefore, instead of cancelling all programming, I quickly coordinated new plans for healing projects and a virtual survivor share out that were student-led. We invited survivors to share their stories, poems, artwork, and photography that would be published in a virtual booklet and – the following year – an online gallery. The intention was that this would still offer survivors the space to use storytelling as a healing practice and build a community of care that shows others they are not alone in the face of sudden isolation.

I gave a lot of attention (perhaps I would call this care) to ethics and safety in setting up this share out project. First, in acknowledging how writing or speaking out can retraumatize survivors, I asked one of the other CARE advocates to help with some resources for writing one's story. She designed an incredibly thoughtful workbook that provides some starting points for writing as a process of one's own exploration. I worked with student interns to put weekly writing prompts and healing

resources on our social media when advertising the project. I also collaborated with Title IX to ensure all stories were exempted from mandatory reporting requirements. This negotiation required that we collect a university email address through the form so that a confidential advocate could follow up if there were any disclosures of imminent harm to self or others indicated; however, I ensured that only CARE professional staff had full access to the submissions, which I screened for and redacted any names before making available to student interns to publish. Consent was central to the submission process, as we allowed survivors to select in which formats they wanted their submissions to be made public – e-booklet, online gallery, live community gathering over Zoom, and/or social media. We also made sure to share healing resources and contact information in the submission process and virtual collections, as well as content advisories on social media posts.

The fifteen submissions sent for publication in 2020 and 2021 offer beautiful and intimate fragments of surviving in the wake of violence.²² They range from poems to hand drawn images, to short fiction chapters, to photographs, and memoir-style narratives. While legal and institutional processes elicit graphic descriptions of victimization and evidence of injury marked on the flesh, poetic formations can call attention to this voyeuristic demand in their refusal to name what happened. Only one narrative describes the physical injury of waking up with a “teared vagina bleeding,” though the author refuses to substantiate it with a recounting of what caused that

²² The “Survivor Stories: Rooted in Resilience” e-book can be found here: https://issuu.com/ucscsurvivorstories/docs/rooted_in_resilience, and the Share Out Gallery is here: <https://ucscsurvivorshareout.webflow.io/>.

injury. Fragmenting one's experience can be both an effect of violence and power, while also containing possibilities for refusal, rewriting, and recognition.²³ One other story names two different experiences as "sexual assault" and describes their relationship to each perpetrator. In this survivor story, the author's insistence on experiencing assault repeatedly compels witnessing and empathy by the reader without requiring that label to be legitimated by law or Title IX. They name it, and then move on to reflect on their own personal strengths and commitments – redacting the graphic details of those experiences that might otherwise be expected. Through these articulations and silences, I read a fragment in which the author tries to control the terms of her own representation against the scripts she has been given.

Most of the other submissions refuse the act of naming all together, and instead talk *around* their experience by more vaguely referencing the actions that caused them harm – "your 'erratic behaviors'," "his cold fingers," "a past I never consented to," "something taken from you over and over again." Many of the narratives illuminate the lasting impacts these experiences have on survivors' emotional wellbeing, their relationships, their academics, and their sense of self-worth. Yet even as a virtual and written project that allowed for anonymity, survivors insist on putting their stories in the context of their identities and lives. One story, "Untitled," discusses the month of April – which in prevention programming is centered as a time of awareness raising – as one that painful because it contains

²³ I take inspiration here from Christina Sharpe (2016), who proposes Black annotation and Black redaction as a praxis for living and imagining in the wake of violence – as methods that resist the reduction of Black subjects to her suffering and refuse the terms of her representation that are conceived by others.

reminders of being “robbed” of her consent and of her ability to see her family, of her stepfathers’ deportation, and of her mother’s struggle to cross borders and make ends meet for her family. This story mimics the nature of trauma by highlighting cyclicity and reminders – what are called triggers in psychological terms.²⁴ It also refuses to erase structural forms of harm based on their identities and family histories – entwining questions of citizenship and poverty with those of sexual violation.²⁵

Yet we see this story and others not only describe survivors’ pain, but also their joy, hope, and resiliency, painting a portrait that complicates what we – as a society – expect from survivors. The author of the poem “I’m Ugly,” which I excerpted at the top of this section, also submitted a second poem, “I am Hope.”²⁶

I am Resilience,
I am Courage,
I am Strength,
& I am Hope.
And on your darkest day,
Just know
You can still float!

- Excerpt from “I am Hope” in the *Rooted in Resilience* booklet

Her first poem resists the “perfect victim” script by leaning into her anger and lasting negative emotions, while the second focuses on her healing process and sending a message of affirmation to other survivors. The juxtaposition of two narratives

²⁴ The next chapter works through the concept of triggers more fully as part of situating a trauma-informed pedagogical practice.

²⁵ This story is one that also compels the question of race because the author insists on making their family history of border crossing visible. One limitation to my analysis here is in exploring intersectionality more robustly is that, due to the pandemic, this project was online and we did not ask for demographic identifiers to preserve safety and confidentiality.

²⁶ I’m comfortable sharing that this is the same author because the survivor wanted their name to be shared with the submissions (which are still publicly available online).

complicates any singular view of what and who a survivor is. I read the shift in subject from “I” to “you” in her second poem as manifesting a community of care through witnessing.

Of course, one other aspect that made this virtual “Survivor Share Out” (sharing online, rather than speaking and being seen in a public event) project compelling was that it enabled other kinds of storytelling – other kinds of fragments. Survivors submitted not only written text and poetry, but also art, drawings, and photographs. Some of these images are captioned with text; some were not. As Lisa Stevenson writes in reflecting on her own research about living through violence – whether in the Arctic or the Amazon – “there is much that cannot be formulated in words – and that therefore can only be expressed in an image, even if that image is only a fragment” (2020, 653). The communication and recognition of those fragments by others is a process of worldmaking – or what Stevenson, drawing on Wittgenstein, suggests allows “a form of live to coalesce” (2020, 655). Thus I argue, like with the testimonies in Professor G’s case, it is the collective of story fragments that creates belonging and manifests a world otherwise for survivors through witnessing.

In conclusion

Survivor stories as a whole paint both a devastating and a hopeful portrait of living in the wake of sexual violence. Audre Lorde writes, “For women... poetry is not a luxury. It is a vital necessity of our existence” (1984). Poetry, for Lorde, makes possibility real by giving language to “what we feel within...our fears, our hopes, our

most cherished terrors” while working against the form of the story, exemplified by the masculine heroic journey of overcoming and individualism. My experiences supporting survivors as an advocate and an ally in activist spaces such as (but not limited to) Survivor Speak Outs compel me to ask what possibilities are made real by the poetic forms of survivor stories? As one submission wrote:

It is this therapist that reminds me of how strength can come from the vulnerability of having this moment and dread shared with someone who loves me so unconditionally that I wouldn't be afraid of what they'd say. I tell her how angry I was as a child, and for the first time, my anger is validated. Justified. Worthy. Deserving.

These stories complicate any easy critiques about the regimes of care that I laid out in this chapter. Many refer to their advocates and therapists as sources of validation and love. Survivors highlight their resilience as a redeeming trait and reflect on the ways that trauma taught them to take care of themselves. And they hold within their narratives a value in the practice of telling and listening to others' stories – of witnessing as a method of worldmaking – even as they resist explicit disclosure or graphic details that institutions demand. Survivor Speak Outs (whether in-person or virtual), like the #MeToo movement and student activism engendered on UCSC's campus, imagine an otherwise – a campus that is more safe, more supportive, and more inclusive for everyone. By refusing and rewriting dominant scripts of sexual violence, trauma, and survival, these fragments compel me as an educator and scholar to push for ways to expand our capacities and vocabularies as a means of supporting survivors and preventing violence.

My concern with the politics and poetics of survivor stories also has

implications for how we as ethnographers write about violence. Ethnography takes stories as evidence and uses them to produce theory; yet as Carole McGranahan writes, “storytelling’s theoretical powers are not neutral” (2015). In our retelling, ethnographers craft fragments by choosing what stories we tell and how, and what pieces we leave out. The scholarly gaze always entails an erotics of knowing and can fall into the trap of what Hortense Spillers calls pornotroping. I’ve tried to treat survivors’ stories with care throughout this chapter by resisting the epistemological authority of over-explanation or wrapping stories together neatly. This care also involves listening for the “dialects of the subjected” (Weheliye 2014) that fall outside the grammar of that which typically counts as evidence – either in law or in anthropology²⁷ – and curate narratives of livingness that refuse voyeurism and at the same time refuse to silence violence altogether (e.g. Hartman 2019; Sharpe 2016).²⁸ This refusal can inform the craft of feminist ethnography,²⁹ particularly in a context over-determined by legal and narrative scripts of violence. We anthropologists – as both witness and storyteller (e.g. Daniel 1996) – must be accountable for our representations of violence, and following survivors, I suggest the fragment can offer an ethical model of bearing witness by attending to the form, content, and context of the stories we choose to tell.

²⁷ Weheliye suggests that in testimonies of violence, “what is at stake is not so much the lack of language per se, since we have known for a while now that the subaltern cannot speak, but the kinds of dialects available to the subjected and how these are seen and heard by those who bear witness to their plight” (2014, 126).

²⁸ Hartman’s *Wayward Lives* (2019), produces a speculative mode of refusal that neither denies violence nor produces gendered and raced subjects only in relation to dispossession and subjection.

²⁹ See also Audra Simpson’s notion of ethnographic refusal in *Mohawk Interruptus* (2014) and Kamala Visweswaran’s (1994) descriptions of refusal and the uneasy border between fiction and ethnography.

Interlude – A Story in Many Voices

This is an experimental ethnography, inspired by the genre-bending scholarship and guidance of Dr. Megan Moodie and other scholarly and creative uses of the composite (Alexievich 1992; 2006; De Leon 2015; Hurston 1935; Ralph 2014). The story that follows is a different kind of composite, one that draws on the fragmented voices and experiences of many without being written as a single character. The many voices that comprise the story below come from various places – from my interviews and survey, other cases in the media, survivor memoirs (e.g. [Burke 2021](#); [Miller 2019](#)), my own experiences, and from an anonymous crowdsourced survey on sexual harassment in the academy from *The Professor Is In* (Kelsky 2018), a significant source in the text that follows. The vast majority of words below are not my own (despite the first-person pronouns); they come from hundreds of other survivors and circulating social texts, though I have curated others' language into this specific form and context. Unlike most of the cases that my dissertation describes which center students, this story focuses on the power structures of academia as forming the conditions of possibility for sexual violence to be perpetrated and reproduced. It seeks to disrupt knee-jerk and polarizing assumptions about what campus sexual violence entails.

Note to readers: The pages that follow contain explicit descriptions of violence, harassment, sexualization, and institutional betrayal. Please take care when reading and/or skip this Interlude entirely if needed.

In the academy, I have been harassed countless times. By numerous men.

I've faced too many instances of sexual harassment by male colleagues to count.

Academia talks a good game about progressive, liberal values,
But instead, sexism and harassment are routine.

Exploitation of women, particularly women of color, was completely accepted in academia.

There are so many stories untold. So many women who have endured abuse of power.

The problem is systemic and cyclical.

Sexual violence is inseparable from academia as a rigid power structure –

very few (usually white and male) people have absolute control over the careers and well-beings of a larger group of (often younger, female, economically precarious) people.

I've learned,

time and time again,

sexual harassment or devastating comments can come from even the most “feminist” and progressive colleagues.

Many harassers have cultivated public personas that suggest they are progressive and accepting.

My aggressors signed a letter in favor of safe spaces and inclusion.

He was a self-professed Marxist feminist scholar, who forcibly kissed me at a department event.

Another “rockstar” professor involved in anti-racist campus organizing frequently did drugs with and fucked his female students,

And he was known to have abused his ex-wife.

There exists a culture of denial and protection that allows him and others to continue to take advantage of women and gender nonconforming people.

Most faculty want the issue to quietly go away; they will cover for their friends.

Even the chair, who was female, was complicit in this silencing.

For all administrators and professors talk about wanting to increase diversity, they don't seem to like it much when students do things that might actually increase it.

Classrooms, offices, labs – all are spaces of power.

Hierarchy is entrenched;

Tenure structures privilege and entitlement for faculty.

Privilege that enables men's voices to be heard over women's,

To be taken seriously as intellectuals,

Such that conference panels regularly contain only men.

Entitlement to women's bodies and their work,

Like when my advisor passed off my research as his own.

This power is often sexualized, as when

The professor required one-on-one meetings to discuss our papers, and shut the door to his office.

He made suggestive comments about me giving blowjobs in front of the department,

and repeatedly told suggestive "jokes" in the classroom.

My peers regularly called me a slut in the lab.

He sent porn to students.

He referred to our meetings as “dates.”

He wore his “hunting vest” as a PI in the field;
And winked when he said he didn’t mean for deer.

Each season he found a new “field wife” to do the cooking
and cleaning.

He would pursue and approach me relentlessly so that I became
too stressed to regularly and comfortably attend department events.

A cartoon about a rape fantasy was posted in the faculty lounge.

On my TA evaluation he wrote: “she leaves her clothes on :-(”

The professor constantly lured young women (particularly women of
color, first generation students, and otherwise marginalized women in
the academy) with promises of being a “father like” figure.

He routinely dated undergraduate students;

he married his advisee.

When we went out for food after a conference, a
married professor had his grad student sit on his lap.

They were gifted with extra resources, such as money for
conferences, opportunities to co-write papers, and great marks.

I was offered an A in return for sexual favors.

My professor told me he was no longer having sex with his
wife, suggesting he was looking for that role to be filled.

When I told him I did not plan on sleeping with anyone in the
department, he responded: “never say never.”

When I refused his advances, the professor

Gave me a C in the class.

Refused to serve on my committee.

Obstructed my qualifying exams.

Tried to ruin my career.

In academia, there are no clear boundaries between the personal and professional.

Alcohol is often imagined as the problem with undergraduate sexual assault –

“Fraternity Gang Rape” (Sanday 1990)

“The Hunting Ground” (Dick et al. 2016)

“Blurred Lines” (Grigoriadis 2017)

“Unwanted Advances” (Kipnis 2017)

He described his actions as the product of a culture of drinking, peer pressure and “sexual promiscuity.”

After a party, I woke up on my own couch to him kissing me, with his hands down my pants.

Alcohol is also copious at conferences, bars, “meetings” off campus, and field sites.

My department chair would take students out to get shitfaced,

then make out with us one by one.

One time, he threw a party with two other male faculty members. They invited only female students to attend;

Alcohol flowed and a few of us were encouraged to spend the night for our own “safety.”

He has propositioned and harassed multiple students; Most people excuse it because he's drunk when it happens.

As a graduate student, I thought I would be recognized for my intellect.

Instead, I was reduced to my body –

A male faculty member “joked” that all female PhD students had to do was wear tight, low-cut dresses.

Every time we talked, he stared at my chest.

He liked spring semester best because
undergraduates wore short shorts.

In a meeting, he told me he found my
skirt “sexy.”

He thought I did a good job “taking care of my body.”

While meeting about my work, he commented that “he had
always wanted to wake up naked to the sound of my voice.”

In seminar, a fellow grad student stated I was
too attractive to do the research I proposed.

A colleague told me I was the “affirmative action hire.”

The faculty’s response was silence.

But harassment has not only been verbal:

Unwanted contact, groping, massages, and kissing –
even stalking, threats, and sexual assault.

He placed his hand on my thigh in a meeting,

Picked me up and said he wouldn’t put me down until I kissed him,

Rubbed my shoulders in the lab,

Pressed me against his office door and stuck his tongue
in my mouth.

Touched my stomach without asking when I was pregnant.

Sexual harassment made me change my fieldsite and
made me wary about building relationships in the field.

An internationally renowned professor assaulted me so violently that I
had bite marks all over my face when I had to teach the next day.

In the field, and at the bar, male graduate students
would slap my ass like it was a game.

Their PI laughed.

I was raped during fieldwork. My
department told me not to speak about it.

A famous scholar put his hand down my pants when I sat
down to talk to him about an essay I had written.

I remember thinking, "I guess this is what life is like for
women privileged enough to attend fancy graduate programs."

I can't count how many times that happened, but I can count how many times my
male colleagues asked me about my research in the 7 years I was there (5 in total).

Often, no reports are filed.

I didn't feel this would be considered sufficiently serious and I
didn't want to get a reputation for making trouble.

I did not know reporting was an option.

Other faculty already knew about this; I did
think it was my place to speak up.

I was too worried to report for fear of retaliation.

Between him and me, I knew who the institution would support.

I felt that if I raised any kind of fuss I'd be
instantly replaced with someone "less difficult."

I was worried that I'd get him in trouble and
that would jeopardize my grade.

He made me feel responsible for what happened.

When I got up the courage to make a complaint –

to the department, to Title IX:

“You don’t want to spoil this man’s life do you? It was just a joke”

“This is a steep price to pay for 20 minutes of action.”

“If we got rid of every man in the building who behaves as X did, there'd be nobody left.”

“He was just trying to flirt with you.”

“So he’s still a problem then...”

“I’m sure he meant it as a compliment.”

“He always says that, it is nothing!”

“Just pretend like nothing ever happened.”

Even though I stood up for myself, I don't feel proud or empowered. It isn't a happy situation and it never will be.

Negative consequences are rare:

Only in one case did I see someone brought to any kind of justice, and that was a graduate student whom the department already wanted to kick out.

He was placed on paid academic leave for only one year.

He was given a warning.

He was asked to write a letter of apology.

He was promoted to director of my program after the Title IX case.

The grad student went on to win an award and get a tenure-track job.

He now works as a practicing attorney.

He was subsequently hired by a more elite university.

He is now retired with no consequences.

[redacted after retaliation]

No professional repercussions confirmed what I already knew about male privilege.

I have since learned, through sharing my story on the whisper network, that he has harassed numerous young women in academia.

I was informed by female graduate students that the professor had raped and sexually assaulted multiple women. I was told never to take a class with him and that no action could be taken against him.

He was a known problem in the department, but because he was tenured they were unable to do much.

He's a repeat offender, so he's known to the whisper network, but still in his position.

Though rumors have been decried as "witch hunts," these whisper networks keep women safe and build solidarity between survivors.

After it happened, I felt like I was at the bottom of the ocean and nothing was real.

Effects have been long-lasting and significant.

My self-confidence was shattered.

I felt unsafe and alone on campus,

I felt like life was a horror movie I could not escape.

I doubted and questioned myself.

I felt guilty and ashamed.

Depression

PTSD

Anxiety

Insecurity

I feel powerless.

The incident caused me to change my field of study,

Made me miss research and funding opportunities,

Delayed my time to degree,

I left academia all together.

I became even more determined to succeed.

I have done okay. But it's been more of struggle than it should have been.

Hopefully, one day, I'll be in a position to advocate for
change in how the University handles sexual harassment.

Thank you for doing this. It's nice to be heard.

And thanks to all who speak out here and elsewhere.

To girls everywhere, I am with you.

Chapter 4 – Teaching with Care: Building a Trauma-Informed Pedagogy

How do we *responsibly* engage material about trauma and violence in the classroom? This question animated conversation among a small group of graduate students in Spring 2019. An interdisciplinary group of eight graduate students – including myself – sat around a conference table in the Graduate Student Commons while eating sandwiches from the downstairs Café Iveta and overlooking the redwood trees in the main quad on UCSC’s campus. We were participating in a Graduate Student Learning Community on sexual violence and sexual harassment (SVSH) that I designed and co-facilitated as a researcher with the Beyond Compliance initiative at UCSC.¹ I was taking notes on a whiteboard of questions that graduate student instructors were navigating while teaching difficult material:

- How do we create safe learning spaces for our students?
- How/Do others use trigger warnings?
- How can we ask students to reflect on their experiences without causing further harm (for them or others)?
- How should we respond to students’ disclosures?
- What effect does teaching this content have on *us* as educators?

These questions formed the foundation for our pedagogy workshops, which met bi-weekly throughout the Spring Quarter. This community of practice animated for me

¹ The Beyond Compliance learning communities for graduate students and faculty were discussed in UCSC News announcements: <https://news.ucsc.edu/2018/11/beyond-compliance-opportunities.html>.

the insight that experiences of sexual violation among UCSC community members are inseparable from their academic experiences at the university.

The Learning Community was inspired by the idea that dispersing SVSH content across academic departments could help shift campus culture and prevent sexual violence. This project was initiated after a group of faculty members participated in a learning community intended to support curriculum development around SVSH the previous quarter. Because the faculty learning community raised questions about teaching – such as how to build trust in the classroom and inform students about content – I designed the bi-weekly graduate student workshops from the starting premise that pedagogy is inseparable from content when it comes to teaching about sexual violence. Our interdisciplinary group from across all campus divisions met every other week over lunch. For the first hour, we discussed how to build foundations of trust, inclusion, and safety in the classroom. Then, for the remaining half hour, we collaboratively workshopped course units that engaged with content around sexual violence, consent, and prevention.

As I designed a flexible syllabus of topics and readings for the Learning Community, I realized there was limited scholarship with which we could engage about teaching practices in relation to sexual violence. The best articles I could find came from women's studies and psychology – specifically around clinical training. Janice Carello and Lisa Butler's article, "Potentially Perilous Pedagogies: Teaching about Trauma is Not the Same as Trauma-Informed Teaching" (2014), in which they discuss the risks of secondary traumatization when engaging with content about

trauma in the classroom and propose a set of teaching practices to implement, provided an especially compelling framework of “trauma-informed teaching” that synthesized the collaborative work we were doing in the Learning Community.

In early 2019, “Potentially Perilous Pedagogies” was one of the only articles that discussed trauma-informed teaching in higher education.² There was a notable gap in research, theory, and practical models that thought critically about engaging content about sexual violence or acknowledging the trauma experiences students bring with them into the classroom. Yet just one year later, after the COVID-19 pandemic disrupted our world and quickly shuttered universities across the nation from in-person teaching (including UCSC), there was a notable increase in articles and university guidance documents about being trauma-informed in higher education (e.g. [Henshaw 2022](#); [McMutrie 2020](#); [Zingarelli-Sweet 2021](#)).³ UCSC is no exception, and I’ll return to our campus’s “Keep Teaching” guidance below. This attention to how trauma impacts learning stemmed from the shared experiences with which many educators and students alike were struggling: not only social isolation, but also stressors around health anxieties, family tensions,⁴ and dealing with loss,⁵ as

² There has been a subset of education scholarship that considers trauma experiences among primary-age school children and how to engage students who have traumatic home experiences (e.g. [Crosby 2015](#); [Thomas, Crosby, and Vanderhaar 2019](#); [West et al. 2014](#)). However, the pedagogical practices and techniques from primary education don’t neatly translate to higher education.

³ These are just a few examples. A google search of “trauma-informed teaching higher education” will populate countless university webpages that have trauma-informed teaching guidance documents.

⁴ Advocates in particular noted that sheltering-in-place exacerbated risk factors for and impacts of domestic violence.

⁵ As of May 2023, the CDC data center indicates over 1.12 million American deaths are due to Covid-19: <https://covid.cdc.gov/COVID-data-tracker/#datatracker-home>.

well as a national reckoning with racialized violence after the murders of George Floyd and Breonna Taylor in summer 2020.

This chapter builds on this growing attention to trauma-informed teaching by centering the experiences that survivors of sexual and interpersonal violence have in the classroom. I inquire into the risks, challenges, and pushback to engaging with trauma in course content. I take seriously the demands that I heard from survivors for more transparency, flexibility, and attentiveness from faculty in proposing a model of trauma-informed pedagogy. Of course, responsibility for student care should not be solely on individual instructors, and student support already falls disproportionately along gendered and raced lines of precarity for instructors – particularly femme-presenting instructors who are younger (graduate students and junior faculty) and women of color, a fact some have called the “identity tax” (Hirshfield and Joseph 2012; Kuvaeva et al. 2021; Moodie 2021).⁶ However, in the absence of institutional change and structural support, individual instructors *can* make a difference. Rather than treat trauma as an exceptional experience that can only be accommodated on an individual basis when a student discloses, I urge instructors to start from the premise that there are survivors of sexual violence in your classroom⁷ and to design your courses, teaching practices, and assignments accordingly.

⁶ This gender gap is also true for other kinds of academic service and was amplified during Covid.

⁷ Statistics from the National Sexual Violence Resource Center and the Rape, Abuse, and Incest National Network suggest that among undergraduate students, one in five women, one in 16 men, and one in three trans and gender nonconforming people experience sexual assault while they are in college. These numbers don’t even encompass those who come to college with prior experiences of assault, experiences of domestic and relationship violence other than sexual assault, and other experiences of sexual violence including harassment, stalking, invasions of sexual privacy, and more.

Accommodating Trauma

To enter into this chapter, I'd like to return to Ariana's experience with accommodations that opened this dissertation. Ariana's identity as a Latina and first generation student, her personal experiences as a survivor, and family history as a low-income single mother shaped her experiences in the classroom. I was Ariana's primary advocate in the CARE office, and we worked closely together on academic, emotional, safety, and financial support needs for two years. Ariana came to UCSC to better her life for herself and her family, as well as to be a positive role model for her younger siblings at home. She strongly valued her education and held herself to extremely high standards – a "B" grade was, in her mind, a failure that would limit her ability to apply to graduate school programs in the future. She persevered through many hardships – including sexual violation, emotional abuse, family losses, single-parenting through the pandemic, and financial struggles – all of which impacted her academics in different ways. Requesting accommodations was a way that Ariana strategically navigated the structures of the university to work toward her own academic success. She was affiliated with the Disability Resource Center – which provided standard accommodations for 50% extra time on exams and a separate testing space to minimize distractions⁸ – and with CARE to request extensions on an as-needed basis for individual assignments or coursework. One quarter, when Ariana

⁸ Which of course could not be guaranteed during the pandemic and remote operations, where Ariana was taking classes from home with her two small children there.

was so distressed after seeing her ex (who she called her “abuser”) in her class, she requested my support with taking a late withdrawal from the course as a medical and mental health accommodation. Thus, accommodation as a tool enabled Ariana to continue to make academic progress without her grades being severely impacted by her compounding trauma experiences.

Accommodation: the process of adapting or adjusting to something.⁹

Alongside specific accommodation requests, at the start of every quarter Ariana would ask me to send a general “Letter of Understanding” to each of her instructors. This letter acknowledged that she was receiving support from the CARE office “due to a stressful situation beyond her control,”¹⁰ without disclosing any specificities about her experiences of trauma, and it asked instructors to work with her should needs arise. Ariana expressed that this support letter – while not a specific request like her DRC accommodations – made her much more confident in reaching out to faculty herself if she faced challenges in the course. As a psychology major, Ariana expected that her instructors would be understanding of her needs as a survivor of interpersonal violence and of the trauma that arose out of her experiences during the COVID-19 pandemic. Yet, she found that was not always the case.¹¹ She continually had to advocate for herself – oftentimes calling in the support of her support team

⁹ According to definition 1 of the Oxford English Dictionary.

¹⁰ This is standard language in CARE accommodation templates.

¹¹ As illustrated in the opening vignette of this dissertation, I saw a number of faculty respond to and decline accommodation after the pandemic disruptions, suggesting that they had already built in more time and flexibility to their course assignments or stating that everyone was struggling with social isolation and they couldn’t make more exceptions.

such as myself, her DRC service coordinator, and the Title IX office when she received pushback or unresponsiveness from instructors and other staff members.

For the most part, instructors to whom I sent these general support letters acknowledged them with care and committed to flexibility as needs arose, but sometimes they were confused about the letter's intent. I often received responses asking, "what do I need to do here?" Faculty are accustomed to receiving *specific* accommodation requests from students working with the Disability Resource Center at the start of the quarter, but they do not always know what to do with the more general awareness of a student's stressful situation. Such uncertainty frequently leads CARE advocates to provide coaching not only for clients, but also for faculty around when and how to reach out to a student or how to recognize the ways that trauma might show up in the classroom.

Facilitating awareness for helping instructors understand the manifestations and impacts of trauma that might show up among students (as well as, of course, among their TAs and colleagues) matters both in terms of empathy and equity. There are particularly defined rights to accommodations based on membership within a protected class. *Accommodation*: a right to equal participation. There are two primary ways that students can access academic accommodations at UCSC, both of which are governed by equal opportunity laws. The first is through the Disability Resource Center and is based on a documented physical, psychological, or learning disability. Common disability-related accommodations can include a distraction-free space for testing, extended time on exams and course assignments, notetaking support,

microphone usage in lectures, or spatial arrangements that allow for focus and participation. Disability accommodations are governed by the Americans with Disabilities Act (ADA) and have become a standard course of practice on college campuses. Most syllabi include template language about DRC accommodations, and most faculty, teaching assistants, and students are familiar with DRC letters and requirements to provide those accommodations.

The second form of accommodation is provided through the CARE and/or Title IX offices and is based on an experience of sexual or domestic violence guaranteed under the Violence Against Women Act (VAWA).¹² Academic accommodations are a significant part of what CARE advocates do on campus. In the 2019-2020 school year, CARE staff requested 169 accommodations on behalf of survivors.¹³ However, there seemed to be less awareness among both instructors and students that accommodations are also an entitlement for survivors under VAWA and the UC Sexual Violence and Sexual Harassment (SVSH) policy. While CARE advocates have the authority to make accommodation requests that remedy the impact of violence on a survivor's education, they also serve as a more general support resource. Thus, in practice the distinction between what types of requests are entitlements and what are supportive measures (which are implemented more on the

¹² Mental health and other health providers can provide documentation that supports a students' request for accommodation – most commonly for excused absences and medical withdrawals – but they typically will not interact directly with faculty to make those requests.

¹³ According to CARE's Impact Report: <https://drive.google.com/file/d/1Oeu56FbQ3EX7P5pFmCYb0uVEfjnNS2lY/view>. Note that the numbers here refer not only academic accommodations – they may also include workplace, housing, or parking accommodations. However, from my experience working in the CARE office, academic accommodations are the *vast* majority of those requested.

basis of goodwill, rather than law) was often blurred. The effect of such blurriness was that accommodations requested by CARE – even those that were entitlements – sometimes received pushback from faculty. At the same time, survivors often held inflated ideas about their rights and the ability of their advocate’s authority to request an accommodation versus to request support.

Because of the right to equal protection, accommodations are subject to a strict regulatory environment that aims to enhance access and equity; however, accessing that right to accommodations subjects those in need to significant barriers. To be affiliated with the DRC, students must provide documentation of a physical, mental, or learning impairment – what is noted as a “functional limitation” by the DRC – from a medical provider.¹⁴ This typically means that the student must have a diagnosis and an ongoing working relationship with a mental health provider when that limitation is psychological. A referral from CARE to the DRC – so a survivor can access long-term accommodations for all their courses – can exempt students from documentation requirements for one year. However, to continue to access ongoing accommodations from the DRC, a survivor’s need for support must be translated – or scripted (see Chapter 2) – as PTSD or an anxiety disorder by the institution.¹⁵

¹⁴ Find Documentation Guidelines on the DRC website here: <https://drc.ucsc.edu/students/non-affiliated-students/documentation-guidelines/index.html>.

¹⁵ This is true not only of academic accommodations, but also for housing. Students affiliated with the DRC can get accommodations to have a single room on campus at the same cost of that for a triple dorm room. Alongside privacy, this accommodation also provides a significant financial source of support and relief in Santa Cruz’s precarious housing market. CARE cannot make this accommodation request directly; it must go through the DRC.

Of course, these issues are not entirely separate; CARE, the DRC, health and mental health services, and Title IX regularly coordinate referrals, support, and accommodations for survivors.¹⁶ Disability and trauma are imbricated, not only as an effect of violence, but also as a vulnerability. A 2018 report from the National Council on Disability, “Not on the Radar” found that one in three undergraduate students with a disability experience sexual assault during their time in college. At UCSC, approximately 40% of survivors self-disclose as having a disability on CARE’s intake forms.¹⁷ The DRC serves a very large community of students on campus. As best as I could find, more than one in seven students¹⁸ at UCSC are affiliated with the DRC each year. Thus, DRC accommodations are very visible and well-understood across the campus community. In this way, it might even feel easier or less stigmatized for a survivor to access accommodation needs from the DRC rather than from an office that would disclose their experience of violence. While in my research I never directly heard a student express hesitation or disinterest from getting a referral to the DRC, I do hesitate to overstate a lack of stigma associated

¹⁶ Sometimes, this means considering which offices are presumed to hold more authority or which requests are seen as more legitimate. While this latter point is something that CARE advocates resisted both in theory and in practice, we also sometimes navigated within this academic support network strategically so that survivors would not have to face potential pushback to their requests; I return to this point below.

¹⁷ Data from CARE’s 2019-2020 Impact Report. Note that not all students who identify as having a disability have a diagnosis or are affiliated with the DRC. As that number is primarily drawn from CARE’s intake forms, the data systems are generally not updated to note disability status for students who connect with the DRC after accessing CARE services, and some clients leave demographic information blank.

¹⁸ The [DRC website](#) states that they serve around 2,800 students annually with permanent disabilities, and additional students with temporary medical conditions such as broken bones, surgery, or pregnancy. [UCSC’s Facts and Figures page](#) shows that there were 17,200 undergraduate students enrolled in Fall 2020, and 1,950 graduate students.

with disability on campus at UCSC. Not every student who I referred to the DRC ended up connecting with that office, but most did and benefitted from the academic and housing accommodations that the affiliation provided. However, those benefits were often time-limited and contingent on the student's ability to connect with psychological services and secure a diagnosis after one year. The need for diagnosis raises important questions about the temporality of trauma and the impacts of surviving violence – is this experience permanently debilitating, or is it a temporary medical condition from which survivors will wholly recover?

Feminist and crip theorists suggest that perhaps this isn't the right question. This scholarship has critiqued the medical model that locates disability as a condition of individuals and arguing instead that is social and physical infrastructures that are disabling or cause, in Rosemarie Garland-Thomson's terms, a "misfit" (2011). In this frame, disability is not a fixed identity, but is an encounter between bodies and the world around them. Disability scholarship makes clear that embodiments are always already situated in time, space, and specific social-material contexts. Relatedly, trans scholarship provides an important lens through which to examine the medicalization of disability – as something to be fixed – and the paradox of advocating for trans or disability rights as a "protected class" (e.g. Clare 2017; Puar 2015; Spade 2003). Dean Spade's personal article, "Resisting Medicine, Re/modeling Gender" (2003), describes how medical evidence determines trans access and rights to gender identification. He reflects on how medical regimes structured his own experience with seeking chest surgery and the ways in which his trans gender identity

had to be narrated and verified through binary gender expression. It was only through the diagnosis of “gender identity disorder (GID)” that he could – at the time – access sex reassignment surgeries or change legal identification documents. I find these scholar’s analyses of the epistemological authority granted to medical knowledge productive to think with regarding the uneasy relationship that survivors navigate when accessing rights to accommodations based on disability status versus on their experience of victimization.

Let me illustrate the challenge of documentation for Maddy,¹⁹ who began receiving support from a trauma-therapist at CAPS during her Title IX case. When this therapist left the university after only three months of working together, Maddy was left without a diagnosis and thus without the documentation needed for continued DRC services. Because of CAPS’s limited capacity and high turnover rates among staff, practitioners typically only offer short-term therapy services then refer students off campus.²⁰ CAPS also tends to refer out rather than switching providers for students internally. Maddy’s health insurance was through Kaiser under her parents’ plan, and Kaiser is notorious for providing poor and irregular mental health services. In addition, Kaiser did not even have health or mental health services in Santa Cruz

¹⁹ Reminder: Maddy is a composite character of four clients for whom I was an advocate in the CARE office, and whose Title IX case was discussed in Chapter One. All 4 were white ciswomen who were sexually assaulted by a male peer in a party setting.

²⁰ There is an exception for the trauma-focused therapist position, who has a lot more discretion about length of services because of their institutional cross-affiliation with CARE, their facilitation of survivor support groups, and their supervision of a trauma-focused postdoc. However, this position has repeatedly experienced turnover and been unfilled. After the trauma therapist left in 2019, the position was not filled for a full year. That subsequent therapist was with CAPS for less than one year, and there was not an active recruitment immediately following their departure. While many other CAPS staff have training in trauma support, having a focused position is essential to facilitate survivors’ care.

County at all until 2017, and they still have a limited presence today. So when CAPS declined to set Maddy up with another therapist and referred her off campus, Maddy had trouble establishing an ongoing relationship with a therapist. She met only once with a mental health provider at Kaiser in Scotts Valley, who then referred her to an “anxiety group” because of limited capacity for individual services. Maddy’s desire for her mental health status to be documented stemmed from a need for ongoing academic accommodations and to get her pet certified as an emotional support animal to foster her sense of safety. Unfortunately, without documentation of her trauma-experience as a “disability,” Maddy had to find other ways to get her needs met, including continuing to access accommodations through the CARE office, advocating for herself, and moving off campus where she could have a pet per her rental lease.

Determining “Reasonableness”

Another challenge that arose in accessing accommodations is that both disability- and victim-related rights to accommodations are defined through a standard of “reasonableness.” For an accommodation to be reasonable, it must actually mitigate the impact of a disability without fundamentally changing the requirements of a course, and it should not place undue burden on an individual instructor to figure out what a student needs to participate equally. Therefore, an accommodation request may be subject to rejection if a professor deems the request “unreasonable.” In my personal experience working with students as a CARE advocate and as a TA over the past eight years, I have not come across an instance of

a professor rejecting a student's DRC accommodations;²¹ however, I have witnessed and experienced challenges to CARE accommodations repeatedly. Of course, I don't mean to dismiss the many supportive responses and care shown by faculty, instructors, and teaching assistants when other advocates and I requested accommodations for survivors. But what I do want to consider is the question of what makes a request based on an experience of interpersonal violence more subject to dispute or to being perceived as unreasonable than one based on disability.

Compliance offices, such as the DRC and Title IX, benefit from an assumption of medico-legal expertise, authority, and due diligence with respect to accommodation requests that is not similarly afforded to CARE. I contend that there is a privileging of a particular form of medical expertise through diagnosis and formal affiliation. There is also a direct association of rights and liability that stems from the legal frameworks of equity compliance for both the DRC and Title IX.²² Of course, CARE has the same authority to request accommodations as Title IX does under VAWA and the UC SVSH Policy; however, the *perception* of this authority is consistently obscured. CARE is often positioned as “merely” a support resource, which may – in the minds of some academic and administrative staff – diminish CARE staff from being perceived as professionals and thus being treated with the

²¹ Not to say it doesn't happen; of course, the interactive process of accommodating students' needs is complicated, and I can imagine that requests for extensions or alternative modes of assessment might not always be easy or practical. Providing particular accommodations for students or TAs can be especially challenging for faculty who themselves have disability accommodations. As Megan Moodie has astutely noted, there is no official mechanism on campus for how to address if a students' accommodation needs conflict with an instructor's accommodations.

²² Note an underlying anxiety that if the accommodation is not made, the instructor could be subject to complaint, discipline, and liability for creating an inequitable course environment.

same seriousness and respect shown to representatives of compliance offices. CARE staff were also all fairly young²³ and femme-presenting, and all advocates had their authority and expertise challenged by other staff and faculty on campus.²⁴

The gendered nature of sexual violence and support services seems to play a role in this differential treatment of accommodation requests. Reason – as a concept – has long been gendered (e.g. Ahmed 2015; Lutz 1995; Lloyd 1983; Jagggar 1989; 1995), and the abstract standard of a “reasonable person” is tied in Western philosophy to masculinity as a way of thinking and being in the world (Lloyd 1983). Reason is contrasted to the emotionally charged, subjective, and particularistic epistemologies associated with femininity and whiteness.²⁵ As Alison Jagggar writes in “Love and Knowledge”:

Not only has reason been contrasted with emotion, but it has also been associated with the mental, the cultural, the universal, the public and the male, whereas emotion has been associated with the irrational, the physical, the natural, the particular, the private and, of course, the female (1989, 151).

Given these gendered frames, when accommodation requests for survivors were denied as being unreasonable, I got the sense that paternalism and inherent victim-

²³ At the time I worked for the office, age of staff ranged from early/mid-20s to mid-30s.

²⁴ It’s worth calling attention here to the ways in which the bifurcation of the university into academic and administrative functions also creates a rift between faculty and staff generally. Having filled roles on both sides of this divide, I often get the sense that faculty – often as holders of a Ph.D. or other post-graduate training – diminish the expertise of staff more broadly. In creating guidance for instructors on trauma-informed pedagogies, for instance, I had to assert my status as a doctoral candidate and researcher – alongside my title as a prevention educator for CARE. This is a subject position that I strategically highlighted when outreaching to academic departments, graduate students, and faculty, but in so doing may have reproduced privilege and power for academic over staff expertise.

²⁵ Sara Ahmed brings an intersectional framework to this cultural and feminist understanding of reason. She has written about the fantasy figure of the “angry black woman,” whose “reasonable thoughtful arguments are dismissed as anger (which of course empties anger of its own reason), which makes you angry, such that your response becomes read as the confirmation of evidence that you are not only angry but also unreasonable!” (Ahmed 2010, 68).

blaming attitudes underpinned some faculty responses. There seemed to be a suspicion that survivors were “gaming the system” or trying to get out of particular course requirements, rather than accessing a legally protected right. In several instances, for example, I encountered faculty who encouraged students to withdraw from their course rather than give them extensions on assignments or an “Incomplete” grade in the course. This was typically framed as being in the student’s best interest – to take time and space to focus on their healing – and served to undermine both the survivor’s agency and the CARE advocate’s authority. While withdrawing is one supportive measure that survivors can and do regularly access, and instructors can certainly broach conversations about options for withdrawal empathetically, it is not the only strategy through which student survivors can meet their academic needs.²⁶ When protected accommodation rights were denied, CARE advocates are required to re-assert their already undermined authority and expertise through consultations with faculty while delicately balancing confidentiality for their clients.

Determining whether an accommodation will *reasonably* allow for equal participation in the learning environment is done through an interactive process that is meant to be individually specific and ongoing. For disability-based accommodations, affiliated students meet with a DRC service coordinator to discuss their challenges

²⁶ As a TA and instructor, I have personally had such conversations with students and have seen my faculty mentors do so with care. Language, context, and framing matter. It’s important for instructors to be transparent about possibilities and limitations. If, for instance, an “Incomplete” is denied because a student has not completed enough of the course, that reason should be shared with students. Informing students about the option of a medical withdrawal may be something they didn’t know before and an option that provides relief; however, instructors who know a student has a CARE advocate or CAPS therapist who has already advocated for them in the course can assume they have already consulted about these options and should redirect them to their support resources.

and brainstorm measures that would help to mitigate those challenges. Once accommodations are agreed upon between a student and their service coordinators, students (and now faculty, through the online Accommodate system) have access to template letters that list those accommodations. Should faculty have questions or concerns about implementing accommodations, they are meant to consult with DRC staff – another side of the interactive process. The ongoing nature of accommodations means that they may be revisited and adjusted when the student’s need or circumstances change, or when the request is not working as intended.²⁷ For SVSH-related accommodations, there is not a standardized system for students to submit letters; rather, they are discussed on an individual basis and sent by CARE or Title IX staff to faculty.

The shift in university operations to remote education due to the COVID-19 pandemic brought the question of “reasonable” accommodations into view in a new way. Not only did some previously requested accommodations no longer feel relevant in a remote course, new and unexpected needs, stressors, and challenges arose that impacted students’ course participation and success. For instance, the university could no longer guarantee that students had a distraction-free testing space when they were participating from home away from Santa Cruz. Additionally, new technological needs arose around captioning and recording of online lectures, for which the campus did not yet have existing resources and had to scramble to accommodate. While many

²⁷ For instance, if 50% extra time on exams still does not give the student adequate time to finish, they might readjust and ask for more time or a distraction-free environment alongside the extra time.

instructors made basic efforts to accommodate remote learning, such unexpected needs led to confusion and even more general pushback from instructors around how to accommodate students' needs in the remote environment.

In Spring 2020, the first quarter where the university had shifted all instruction to remote learning, CARE advocates increasingly experienced resistance to accommodation requests from faculty members.²⁸ As in Ariana's case discussed earlier, denials of accommodations frequently suggested that there was already adequate flexibility and time built into assignment deadlines and acknowledged something to the effect of "the pandemic has been hard on everyone." The universalizing of the pandemic as an experience of collective trauma, while true in some sense, obscures the unique experiences of harm, hardship, and vulnerability for people who have prior or ongoing trauma experiences and deems survivors' needs unreasonable.

To address these responses, CARE requested training on accommodations and legal requirements, both to help advocates better understand our authority to make specific accommodation requests under and to discuss language in framing these letters. One thing I learned in this training is that accommodation guarantees are not retroactive – technically, they must be requested in advance for there to be a legal backing under ADA or VAWA as compliance mechanisms. In Ariana's case, since the paper deadline for which she was requesting an extension had already passed,

²⁸ Anecdotally from my experience; I do not have numbers to verify the level of increase, nor to capture how CARE accommodation requests have changed since the transition back to in-person classes in Fall 2021.

there was little recourse to assert her needs as a right. As such, she instead had to depend on the instructor's goodwill and understanding, which were not given in this instance. It was suggested that when CARE received pushback on accommodations, we should loop in the Title IX Office to support our request. In this way, the authority of Title IX was being asserted over that of CARE, even though there was not a legal basis to do so – only one that addressed the (mis)perception of CARE's requests. This strategy of redirecting to Title IX also ignores the facts that CARE has an institutional right to maintain confidentiality and that many survivors who seek support from CARE have no interest in being affiliated with the Title IX office. While Title IX's legal authority to provide accommodations for survivors is the same as CARE's, the office's positioning as a neutral resource (rather than survivor support, which is already gendered)²⁹ and as responsible for compliance affords Title IX more respect and authority.

From Individual to Universal Design

Accommodations are a necessary tool for fostering equity and inclusion in the learning environment. Yet, accessing them comes with significant barriers related to disclosing mental health status and trauma experiences, as well as to receiving a diagnosis of a physical, psychological, or learning challenge. In response to the

²⁹ This holds even more true as Title IX was consolidated under the broader office of Equity and Equal Protection (EEP) in 2020, which obscures a gendered-specific lens from public imaginings of the office's work.

individualizing nature of accommodations, and in attempts to minimize barriers for all, “universal design” has recently been championed within higher education.

Universal Design as a concept emerged out of the recognition by disability activists in the 1960s and 1970s – and subsequently architectural designers like Ronald Mace – that the built environment creates barriers and exclusions for different types of bodies and that removing such barriers actually benefits everyone (Hamraie 2013). From smashing concrete street corners to create their own “curb cuts” (see [Hamraie 2017, Chapter 4](#); [Hendren 2020](#); [McRuer 2006, 33–36](#)) to leaving behind mobility aids such as crutches and wheelchairs to drag their bodies up the capitol steps (see [Hamraie 2017, 1–3](#)), disability activists have used their bodies to make visible the ways that accessibility is material and political. Such activist and design efforts led to the passage of the Americans with Disabilities Act (ADA) in 1990, which prohibits discrimination and governs accessible design standards for all new construction and adaptations. Curb cuts, for instance, have been heralded as a model for how accessible design actually has a universal benefit – as they aid not only wheelchair users, but people using strollers, bicycles, wheeled luggage, and more.³⁰ Yet as Aimi Hamraie writes in *Building Access*, “Despite Universal Design’s origins in the work of disability activists and in disability rights efforts preceding the ADA, the term has become a popular discourse in the post- ADA world— not by centering disability as a category of marginalization but by disavowing it” (Hamraie 2017, 7).

³⁰ The metaphor of curb cuts has also been taken up in digital and learning spaces – see for instance “Creating Curb Cuts in the Classroom” (D. M. Johnson and Fox 2003) and “Curb Cuts in Cyberspace” (Rao and Tanners 2011).

What Hamraie shows is that emphasizing common sense design that is better for everyone, in fact, obscures the political claims around access – in both built and social environments – that underlaid these disability justice interventions.

In the 21st century, Universal Design spread from being just a principle for architecture and city planning to also being applied in digital and learning spaces. *Universal Design for Learning (UDL)* has been promoted as a gold standard by teaching and learning resources across the U.S. (including the Teaching & Learning Center [TLC]³¹ and the Disability Resource Center at UCSC), along with campuses across the United States. *Universal design* is an aspiration. It seeks to enhance equity and access in our learning communities from the start, rather than rely solely on individual accommodation. As stated on the “UDL on Campus” website:

(UDL) is a set of principles for curriculum development that give *all individuals equal opportunities to learn*. UDL provides a blueprint for creating instructional goals, methods, materials, and assessments that work for everyone – not a single, one-size-fits-all solution (emphasis mine).³²

Achieving this goal of equal opportunity, however, requires that instructors proactively anticipate barriers and challenges that students might face in order to plan around them, rather than “retrofitting” to accommodate individual students’ needs. Much of the guidance – both from “UDL on Campus” and from UCSC’s TLC – focuses more on learning styles and cognitive or physical accommodations, rather than the diverse life experiences that students bring to the classroom per se. For

³¹ In 2023, the formerly known as the Center for Innovations in Teaching and Learning (CITL) was merged with Online Education to form the TLC.

³² http://udloncampus.cast.org/page/udl_about

instance, best practices that the TLC notes include technical components, such as ensuring text-to-speech capabilities of course materials, audiobook options for course readings, captioning videos and Zoom lectures, and clear headings and formatting on syllabi.³³ The webpage also acknowledges the importance of providing multiple means of learning engagement and ensuring group work is accessible, though examples of how to implement these practices are either not specific or missing.³⁴

The principles of universal design provide important considerations for fostering equity on campus, yet a course design can never be fully “universal.” If UDL requires proactive planning, whose access needs do we anticipate and design for, exactly? As with the imagined student whose needs are considered reasonable, abstracting the universal learner will invariably lead to exclusions. It is almost certain that individual accommodations will still be needed, particularly if our pedagogical design does not consider the intersecting identities and vulnerabilities that students bring with them to the classroom. It is equally important to consider what a universal design looks like for vastly different disciplines and fields of study where the content itself might impact students’ abilities to engage – for instance in psychology, where trauma is taught explicitly, versus computer science, where it is usually not.³⁵

³³ <https://tlc.ucsc.edu/resources/equity-accessibility/designing-for-accessibility/>

³⁴ I’ll note that the TLC is new on campus, and the webpage may still be a work in progress. However, the specific focus on technological and cognitive access here mirrors what was on the earlier CITL website.

³⁵ Using these examples because they are two of the largest majors at UCSC. See here: <https://mediafiles.ucsc.edu/iraps/student-majors/fall-term/2020-21/fall-ug-majors-declaredandprop-mc.pdf>

While UDL requires a capacity for pre-planning around content, pedagogy, and assessment, classrooms – and learners’ experiences inside them – are also shaped by unanticipated events. External circumstances might impact individuals, or collectives. From 2019 – 2021, there were numerous unprecedented events that interrupted teaching and learning at UCSC. The disruptions caused by preemptive power outages, the Wildcat strike,³⁶ a massive county-wide wildfire, and of course the COVID-19 pandemic – which immediately shifted all of UCSC’s courses to an online format the week before finals in the Winter 2020 quarter – all illuminated the limits of our collective ability to plan ahead, despite any individual instructors’ best efforts. Thus, response and accommodation is not simply about accounting for individual difference. Every single classroom is suspended in broader socio-political and environmental webs for which accommodations might be needed.

Trigger Warning: Engaging Sexual Violence in the Classroom

On May 1, 2019, a student posted in the “Official Group of UCSC Students” Facebook Group about being shown a film with harmful and distressing content in a course without a trigger warning from the professor. The student suggested that this film negatively impacted them and many of their peers. When they reached out to the

³⁶ A political mobilization in which UCSC graduate students engaged in a grading strike unsanctioned by union leadership (UAW 2865 is the local graduate student workers’ union across the UC system) to demand a cost of living increase in wages. While graduate student instructors and teaching assistants still held teaching and learning activities with students, they withheld submitting grades in the Fall 2019 and Winter 2020 quarters, until many were disciplined, fired, and forced to do so.

professor about their concerns and asked for trigger warnings to be given in the future, they were dismissed. The Facebook poster wrote:

One of the professors responded to my concerns in an incredibly condescending manner... that could be summarized as “these warnings aren’t important. Your pain isn’t valid. Your trauma isn’t real. Just close your eyes, ‘grow up’, and move on.”

The post went on to express disappointment in professors’ concern – or lack thereof – about students’ mental health.

This post generated robust conversation with varying opinions in the Facebook group, which is meant to be comprised of current and former students but also includes some staff, prospective students, and other members of the public. Within a couple of days, there were more than 250 comments responding to the post. These comments ranged from empathetic statements validating the original poster’s feelings, questions for more information about the content of the film, rage at the professor with demands for them to be fired and strategies for revenge, simultaneous doubt that the professor responded in the way the poster stated, and dismissive statements that called liberally minded students “snowflakes” and suggested this poster in particular was just seeking attention. This post also took on a life beyond social media, generating conversation among students and was referenced by interlocutors in nearly every interview I conducted that quarter.

Trigger: to cause an effect (as action); an event or circumstance that sets another process in motion (as noun). That effect or process might be a state of emotional or psychological distress, as noted in the Facebook post above. In psychology, a trigger is generally understood as a sensory stimulus that arouses an

involuntary stress response – commonly known as fight, flight, freeze, or fawn – in the wake of a traumatic event or past experience of violence. Bessel van der Kolk’s *The Body Keeps the Score* (2014) draws on both neuroscientific research and clinical practice to show how trauma experiences in the past shape survivors’ everyday experiences of stress, hypervigilance, and activation in the present. He writes, “trauma is not just an event that took place sometime in the past; it is also the imprint left by that experience on mind, brain, and body. This imprint has ongoing consequences for how the human organism manages to survive in the present” (van der Kolk 2014, 67). There are both internal and external capacities that can help to regulate these triggered responses. As van der Kolk finds, predictability, clarity of expectations, and consistency are crucial to help one self-regulate in moments of post-traumatic stress (2014, 389).

Trigger warnings are one way to provide predictability and clarity for survivors in the learning environment and are frequently situated as a component of Universal Design. At the most basic level, trigger warnings are statements that alert a reader or viewer to content that might elicit an emotional response due to a past traumatic experience – either at the level of an individual reading or on course content more broadly. The intention of trigger warnings is to allow a viewer to prepare themselves before engaging with the material, or even to avoid it if engaging would be detrimental to their mental or emotional health. In this way, crafting a trigger warning suggests that an instructor has taken care to anticipate what content might be difficult for students in their classroom without waiting for an individual disclosure.

Trigger warnings emerged as a feminist practice for online written content about sexual assault and self-harm – notably on *Ms. Magazine*'s message boards in the 1990s and then on blogospheres like *LiveJournal*, *Tumblr*, and *Feministe* in the early 2000s (Vingiano 2014) – but gained broader use and generated public debate by the early-mid 2010s and subsequently within higher education.³⁷ Trigger warnings now have been used for broader content discussions, such as racism, chronic illness, eating disorders, death, colonialism, and more. Proponents suggest that trigger warnings foster safety by allowing readers to prepare and they signal understanding of others' difficult life experiences by the author. Yet as their use became widespread – and types of content covered by warnings expanded with ever more specificity – so did pushback and criticism as to the scope, purpose, and effect of such statements. Trigger warnings moved from being a feminist practice of care, to a meme or joke, then to an insidious liberal encroachment on free speech and learning.

As the debates around “trigger warnings” have spread to higher education, they also seem to underlie a broader debate about *who and what education is for*. Proponents of trigger warnings have situated them as a practice of building safety and inclusion in the classroom, while opponents see them as encroaching on academic freedom. In oppositions to trigger warnings, these two poles are seen as irreconcilable because the university is meant to challenge and expand our ways of thinking about

³⁷ Slate declared 2013 “The Year of the Trigger Warning” (Marcotte 2013) as marking a moment when use and discussions of trigger warnings seemed to spread across popular media. As trigger warnings became more common in those blog spaces, their reach expanded beyond specifically feminist spaces and engendered debate among users, writers, and editors. Note that all feminist blogs and writers have not agreed on the usefulness of trigger warnings, with *Jezebel* and Roxanne Gay (e.g., 2012) taking gactive stances against them (Vingiano 2014).

the world, and a part of learning entails discomfort (see below). The question of censorship is frequently raised as a boogeyman – collapsing an advisory with a limitation. *Trigger*: the mechanism that causes a gun to fire. The violence of a trigger is amplified. The way in which we articulate an after-effect of violence relies on the language of a particular form of violence. Yet at the same time, these various meanings can obscure what a trigger is and what it does. There is a politics and partisan divide inherent to such a binary between “safe spaces” and “academic freedom,” which I suggest stifles our collective ability to think about trauma-informed practices in nuanced ways.

Whose Discomfort?

To unpack the threads of opposition to trigger warnings within the context of higher education, I offer here a close reading of one statement early statement on trigger warnings from the American Association of University Professors (AAUP) Committee on Academic Freedom and Tenure in 2014, which was oft cited as taking an authoritative position within higher education. The report begins by stating: “A current threat to academic freedom in the classroom comes from a demand that teachers provide warnings in advance if assigned material contains anything that might trigger difficult emotional responses for students” (AAUP 2014). *Trigger*: a threat. The report follows from this proposition. The AAUP’s opposition to such warnings is multifaceted and includes the concerns that they single out politically-

charged topics, may make faculty feel pressured to remove content from their syllabi, and stifle learning.

This line of opposition situates discomfort as essential to the critical learning process, which is then hindered by the provision of trigger warnings, which are seen as giving students a reason not to engage. As the AAUP states: “Trigger warnings suggest that classrooms should offer protection and comfort rather than an intellectually challenging education. They reduce students to vulnerable victims rather than full participants in the intellectual process of education.” While this argument suggests the stance of empowering college students in the classroom, it does so by collapsing discomfort and retraumatization and foreclosing possibilities for trigger warnings to enable individual students to engage with discomfort while managing that potential for retraumatization.

Trigger: a source of discomfort, which is central to learning. I’d like to pause here on what this centering of discomfort does for our understanding of trauma. Angela Carter, a feminist disability studies scholar and practitioner, suggests that “the pervasive misconstruction of trauma [as personal injury] is rooted in ableist logics” (2015, 3) that reproduces inequity and inaccessibility in the classroom. Drawing on Cathy Caruth’s understanding of trauma as experienced through flashbacks and Ann Cvetkovich’s anti-pathologizing approach to the affective nature of trauma, Carter situates trauma as a “disabling affective structure” (2015, 3). In this way, Carter resists the medical / clinical discourse that identifies trauma as a problem of individual subjectivity and instead centers process and politics. She writes,

“traumatized individuals are disabled by a society that cannot comprehend, or make room for such affective or psychosomatic responses that do not adhere to the assumed stability of ablebodiedness” (A. M. Carter 2015, 6). I find this framework of bringing trauma studies and disability studies together compelling as a way to complicate imaginations of an unmarked student who learns through discomfort – and who may be accommodated by universal design – in my own pedagogical practice.

In the Graduate Student Learning Community that I facilitated in Spring 2019, we talked a lot about how learning requires us to confront difficult truths about power and inequity and to challenge many of our pre-given assumptions – all of which may be uncomfortable. Yet none of the participants suggested we shy away from or tiptoe around these difficult topics. Rather, the important question for us was how to engage this discomfort responsibly. Doing so requires that instructors are clear about their learning goals – to what ends are we asking students to confront uncomfortable material? Does the content expand students’ knowledge, or is it gratuitous and does it reproduce a “pornography of violence” (e.g. [Hartman 1997](#); [Spillers 1987](#); [Theidon 2012](#))? There are many reasons that we might – indeed, we must! – teach students about historical and present conditions of sexual violence, racism, structural inequalities, and other difficult topics. *How* we do so matters as much as *why*.

The Center for Innovations in Teaching and Learning (CITL) – or what was merged into the Teaching and Learning Center (TLC) in 2023³⁸ – is the primary

³⁸ As this institutional change happened just before this dissertation was published, I have tried to edit and update to the appropriate name and associated weblinks. I hope readers will forgive any errors if there are references I have missed.

instructional resource on campus at UCSC. The TLC provides a number of templates, workshops, and resources for instructors to “promote student success and equitable outcomes.”³⁹ One such resource is guidance for creating a “Learner-Centered Syllabus,” which includes recommended syllabus statements for content advisories.⁴⁰

The TLC website suggests:

Content advisories give people the forewarning necessary for them to make use of the strategies that will decrease the harmfulness of encountering triggering material. They are not intended to censure instructors nor invite students to avoid material that challenges them. On the contrary, warning students of challenging material can help their engagement by giving them the ability to take charge of their own health and learning. Consider including a content advisory for content that may cause intense physiological and psychological symptoms.⁴¹

There is no elaboration on what constitutes highly charged content or recognition of power dynamics in the classroom. Rather, this guidance is set up already within the discursive frame of academic freedom by anticipating professors’ anxieties about censorship or students using triggers as merely an excuse to not engage with the discomfort of learning.

I contend that it is critical that we think about differential vulnerability to discomfort – whose discomfort are we trying to mitigate and how? For example, learning about racialized violence in the classroom might be uncomfortable for white students and students of color for different reasons. Similarly, content about sexual violence may land differently for those who have personal experiences and those who

³⁹ <https://tlc.ucsc.edu/about/>

⁴⁰ I’ll discuss the linguistic shift from trigger warnings to content advisories below.

⁴¹ <https://tlc.ucsc.edu/resources/creating-effective-courses/learner-centered-syllabus/>

do not. I argue that as educators, we should prioritize minimizing discomfort for students of already marginalized identities or with trauma backgrounds. Abstracting the question of discomfort for an imagined student – who is not marked by race, gender, sexuality, mental health, and more – recenters a white, cis-masculine subject as the one whose learning matters. This abstracted student sits in contrast to the lived experiences of many students at UCSC, a Hispanic-Serving Institution with a large population of non-traditional students, first-generation students, and trans, gender nonconforming, and queer-identified community members.⁴² It's also worth noting that trauma is not an exception. A 2018 Campus Mental Health Report noted that 41% of undergraduate students acknowledged that stress, anxiety, and/or depression affected their academic performance.⁴³ If we are to have campus-specific guidance for trigger warnings that aim to be equity-oriented, we must situate those advisories intentionally around students' differential vulnerabilities to and impacts of trauma.

Knowing and Unknowing of Trauma

Another common thread of opposition to trigger warnings takes a particular psychological stance about trauma that triggers are not always predictable and individually and context specific. Psychologists understand a trigger to be a sensory stimulus that is a reminder of a traumatic event and sets off an autonomic stress

⁴² The website College Factual ranks UC Santa Cruz within the top 10% of all colleges nationwide for overall diversity, racial diversity, and gender diversity. See here:

<https://www.collegefactual.com/colleges/university-of-california-santa-cruz/student-life/diversity//>

⁴³ See report here: <https://healthycampus.ucsc.edu/wellness-initiatives/radical-resilience/2018-ucsc-undergraduate-students-infographic.pdf>. Note that the study was conducted in the 2017-2018 school year, and I expect those numbers have only increased since the Covid pandemic post-2020.

response (commonly described as fight, flight, freeze, or fawn). A sound, smell, color, or object can trigger a post-traumatic stress response. This line of argument suggests it is impossible to know what might be a trigger for any given student, and therefore instructors cannot be expected to predict everything that might elicit an emotional response. While I take seriously the psychological perspective about what constitutes a trigger for someone with PTSD, there is an imagined fear of discipline and liability to which instructors may be subject that underpins this argument. The AAUP report writes that “[t]he classroom is not the appropriate venue to treat PTSD” and “if trigger warnings are required or expected, anything in a classroom that elicits a traumatic response could potentially expose teachers to all manner of discipline and punishment.” The report concludes by suggesting that trigger warnings “misdirect attention” and displace the institutional burden of addressing sexual violence, which it suggests should fall to campus administrators, not educators.

This assertion of the impossibility of knowing someone else’s triggers leads to a particular form of epistemic injustice that Jennifer Doyle (drawing on Eve Sedgwick) describes as “the privilege of unknowing” (2019). Doyle’s analysis of sexual harassment cases suggest that institutions and individuals in positions of power (in her case, medical professionals) assert their lack of knowledge to evade liability. I argue that the AAUP report similarly shifts the question of who experiences harm from students to instructors and evades accountability on the part of educators.⁴⁴

⁴⁴ I will note that the Official Group of UCSC Students Facebook post discussed above did have many replies calling for discipline for the unnamed professor, so while this anxiety may not come from nowhere, students on Facebook have little authority to enact discipline. There was no official statement from University administration regarding this post, and I have no way of knowing whether a formal

There are two practical responses to this question about the unpredictability of triggers. The first is linguistic. There has been a recent shift on the part of educators and writers to move away from the language of “trigger warnings” to that of “content warnings” or “content advisories.” This move shifts the focus away from a possible emotional response on behalf of the student / viewer / reader and instead centers the material. The language of “content advisory” evades the moral anxieties inherent in the sticky debates around whether another’s triggers can be known and predicted, while enacting the same goal of alerting students to the potentially difficult nature of the material. Yet the question about where to draw the line remains. Content that depicts sexual assault seems to be commonly noted among those that use trigger warnings (and what I heard students request in interviews, advocacy appointments, and online posts), but there is less consensus about other forms of sociopolitical violence and inequity. I don’t think there are easy answers to this delineation, nor that a universal list of difficult topics make sense; yet I also suggest that as educators we have the responsibility to think critically about when, how, and why we use particular content advisories rather than avoid them out of convenience.

The second response to the impossibility of knowing others’ triggers comes from the request I heard from multiple students while conducting interviews. As a researcher with Beyond Compliance, a UCSC campus initiative that seeks to engage

complaint was filed and disciplinary process engaged. Given what I do know of administrative policies and processes, however, I find it extremely unlikely that there would be any form of formal discipline here, and informal responses from Title IX or another grievance process would only come if the complaint had *prima facie* based on discrimination due to a protected status. I also am not aware of conversation about this among faculty, though it is possible individual departments or an Academic Senate committee may have discussed questions of trigger warnings and accountability.

faculty in preventing and responding to sexual violence and sexual harassment, one of the questions I asked students was “What do you wish faculty knew about students’ experiences with sexual violence?” As many of these interviews were conducted around the time the Facebook post I discussed above went viral, almost all of my interviewees who were undergraduate students referenced this post and mentioned something about trigger warnings in the classroom.⁴⁵ Students shared with me that they appreciated faculty who provided content advisories or provided space for students to notify them of any particular triggers that the instructor should know about. However, there are many barriers to disclosing a trigger or traumatic experience to an instructor with whom the student has not yet built rapport. As Erin noted during our interview:

I feel like just the standard, I’m going to give this trigger warning for this content regardless of anyone asking for it, regardless of me thinking anyone might need it... that would be really helpful because it makes students feel more comfortable. And not have to out themselves as having had a traumatic experience because that’s a big battle.

Erin went on further to describe one classroom experience that she thought could be a model for others; an instructor made an anonymous google form for students to input their triggers, so their content advisories would be more responsive to students’ lived experiences without the disclosure outing any particular students.

I put these suggestions forward not as a model per se, but to uplift the voices of student survivors and the ways in which their experiences help us to think

⁴⁵ I keep referencing this Facebook post also to make the point that there isn’t necessarily a clear line demarcating social media from the “real world.” Students increasingly live their lives online and are communicating with each other on social media, Reddit, and Discord (even more so since 2020). What we see online has effects in other spheres of our lives and shapes our perspectives.

creatively about possibilities for building more supportive and inclusive classrooms. As Angela Carter writes, the discourse around trigger warnings reflects a “misunderstanding about what students are actually requesting: recognition of their lived experiences and institutional support regarding how those experiences influence their education” (2015, 2). This perspective aligns with the demands I heard from student survivors at UCSC. I also saw how the absence of trigger warnings had real impacts on students’ mental health. From posts on social media, to clients seeking advocacy support from CARE, and to narratives shared with me in interviews, I have repeatedly listened to student-survivors share how course material has triggered some sort of emotional or trauma-response that negatively impacted their academic performance.⁴⁶ In a few instances, students expressed their *refusal* to participate in a learning environment where they did not feel they were treated with care or that would accommodate experiences by withdrawing from courses (and I supported this refusal directly in my role as a CARE advocate). However, more often, students expressed wanting support with developing coping strategies so that they could continue to learn despite and through their retraumatization.

Engaging with content around sexual violence in the classroom entails risk. This risk falls differentially on students who have former experiences of harm and on the instructors who are committed to teaching such material to foster equity and social justice. While the debate around trigger warnings might seem a bit dated in a political context with current and ongoing threats to academic freedom that seek to

⁴⁶ Frequently concerns were about content that had graphic depictions of sexual assault or child abuse.

ban books and education that thinks critically about systemic racism and gender identity,⁴⁷ I belabor this point because trigger warnings raise tough questions about how to responsibly educate students about sensitive and difficult topics like sexual violence without causing further harm. Jennifer Doyle suggests that the vacuation of conversations about sexuality and sexual violence within higher education stem from the disavowal that “the school is a form of sexual community” (Doyle 2019, 159). Doyle shows from her own experience of participating in a Title IX investigation how writing or teaching about sex or sexual harassment can be read as itself harassing. I bumped up against this myself when soliciting student participation in my research. The subject of my email outreach sent through college and academic advisors stated: “Call for participants in research project on sexual violence and harassment.” I intended the email subject to – in essence – serve as a content advisory. This felt more appropriate than leading students to open an ambiguous email about research and then experience an unexpected impact from reading about sexual violence. However, one student wrote to me stating that it was triggering to see the words “sexual violence” in their email inbox.⁴⁸ I consulted with my PI – Dr. Kim Lau –

⁴⁷ There is probably more to say here about the emerging legal landscape shaped by Florida’s “Stop Woke Act” that was signed in 2022. Calls for trigger warnings or content advisories are not a ban on what can be taught, even if both are discursively framed by questions of free speech and academic freedom. As recent as April 2023, Cornell University made news for vetoing and rejecting a resolution unanimously passed by the student union that “urg[ed] instructors to provide warnings on the syllabus about ‘traumatic content’ that might be discussed in class, including sexual assault, self-harm and transphobic violence” (Rosman 2023). University leadership wrote in the rejection that the resolution “would infringe on our core commitment to academic freedom and freedom of inquiry” (Pollack and Kotlikoff 2023).

⁴⁸ One suggestion they gave was to name it as a Title IX project instead, which would have misrepresented my project (see more on the collapsing of sexual violence with Title IX in Chapter Two).

about whether I should change my outreach messaging, but ultimately, we decided that keeping the subject as-is felt like the most transparent approach.⁴⁹ There is no singular answer here. Thus, I don't mean to situate the anxieties around content advisories as only a conservative red herring that maintains patriarchal privilege in the classroom – it is a challenge that gender and sexuality scholars in particular have to navigate – but I do want to resist and interrogate the notion that content advisories necessarily encroach on that freedom. Rather, I see content advisories as a practice of care and a first step to building trauma-informed pedagogical practices.

Situating Trauma-Informed Practice

To build a university that is more equitable and inclusive for all students, I propose that we must build a trauma-informed pedagogical practice.⁵⁰ I offer this framework not as a counter to UDL, but as an extension. Universal design principles that seek to enhance access for the widest range of learning styles and learners' needs as possible have provided an important intervention for enhancing educational equity and inclusion. However, as I discussed above, the presumption of universality can work to abstract students in ways that reproduce gendered and racial hierarchies in the classroom. Centering the experiences and embodied insights that come from trauma can get us – as educators – out of the trap of abstraction to accommodate

⁴⁹ Alternative options, such as using the acronym “SVSH” or naming “Beyond Compliance” as the office sponsoring the research, were likely to be unfamiliar to students, and using referents like “Me Too” or “Survivors” could limit students who didn't find those labels meaningful from participating.

⁵⁰ I want to be clear that while the examples I share have come primarily from undergraduate students, this framework should apply to graduate-level pedagogy as well.

individual needs and diversity more fully. Thus, there is an ethical and political stance that comes from foregrounding trauma into our frames of analysis and our praxis. The anticipatory nature of UDL can also lead instructors to feel self-congratulatory and then defensive for having already “done enough” when students ask for other measures of support. As my interviews, advocacy services, and teaching experiences have illuminated, it is imperative that we listen to what students are saying about the ways that their lived experiences impact and are impacted by the classroom.

Black feminist scholars have provided some of the most insightful models for me to think about bridging the lived experiences of students (and instructors) with classroom pedagogy. These thinkers provide a foundation for what I am calling trauma-informed pedagogy. I am indebted to the work of bell hooks, who in *Teaching to Transgress* proposed a model of “engaged pedagogy” (hooks 1994) that situates education as a practice of freedom. Engaged pedagogy supports students and teachers alike by emphasizing well-being, bringing the whole self (mind, voice, *and* body) to the classroom, vulnerability, and even emotional capacity. Relatedly, Bianca Williams’ pedagogical practice of “radical honesty” (2016) has deeply influenced my approach to teaching.⁵¹ She writes,

Radical honesty...describes a pedagogical practice of truth-telling that seeks to challenge racist and patriarchal institutional cultures in the academy... Radical honesty emphasizes the significance of personal narratives and opens a space for creating strategies that enable scholars and students to bring their ‘whole self’ to the classroom, while getting rid of the shame that frequently accompanies their bodies in academic settings (B. Williams 2016, 72–73).

⁵¹ I had the honor of learning from Dr. Williams briefly during my M.A. at the University of Colorado, Boulder, so her influence is not just a residue of reading strategies but from witnessing the ways in which she brought her whole self to the Anthropology Department and to supporting students. From the first time I heard her mention radical honesty, this practice has stuck with me.

Williams clearly situates all classrooms as political and all instructors as bringing certain biases to how and what they choose to teach. What I take from her pedagogy is the shared vulnerability and mutuality necessary for building trust and safety in the classroom environment. While radical honesty – as the practice of narrating personal experience and positionality – may not work for all students and instructors, and public disclosure should not be demanded of any trauma survivors, it has the potential to radically shift power dynamics in certain learning communities and to open up new insights for students.

“Trauma-informed practice” has become a buzzword, used imprecisely and with various meanings. I want to be explicit about both what I mean by “being trauma-informed” and the context from which my perspective is derived. Specifically, my training and work as a sexual assault advocate in California frames my approach to envisioning practices and systems that responsibly engage with trauma. While there is a distinctly medico-clinical episteme through which trauma is understood in the United States (see Chapter 3 on the psychoanalytic frame), my praxis as an advocate – rather than a clinician or therapist – enables me to view trauma more capaciously than pathologizing and individualizing frames. I want to avoid limiting an account of trauma to diagnosis. Rather, I use trauma to refer to the *embodied* and *psychological* impact of a stressful event or set of circumstances that is experienced as emotionally harmful or life threatening for an individual or a collective.

The experiential nature of trauma is critical here, as it suggests that how an individual interprets or assigns meaning to an event will influence whether they will

experience short-term or lasting impacts. The interpretive component no doubt resonates with an anthropological perspective as well, which aims to understand how people make meaning through cultural processes and practices. I want to be clear that I'm not saying the interpretation of a stressful event is a conscious or even necessarily voluntary process. Rather, interpretation often happens subconsciously through our individual life histories, our genealogies, our cultural referents, and even our individual dispositions. For instance, two individuals who experience a non-consensual sexual interaction may be impacted differently and one or both might not frame that experience as traumatic. Additionally, within an individual's life history, the translation of an event into trauma can vary depending on context. This was exemplified by Erin, who explained about her experience being sexually assaulted at a party said:

You know, I don't feel bothered by it emotionally. I'm just kind of like, yeah, this thing happened. I don't remember any of it. I don't have to see or interact with that guy ever. So, whatever. I felt like that was less impactful. And that's not to minimize. I'm sure plenty of women have been in that exact same situation and it *is* impactful for them, and it does have a life lasting effect. Just for me, I was kind of like that sucked, but move on.

While this event has not had lasting emotional impacts for Erin, a different experience of harassment, coercion, and non-consensual sexual contact from someone in her friend group *did* have dramatic impacts on her mental health and academic performance.

My perspective on trauma as embodied – and not only a psychological phenomenon – is also indebted to a genealogy of feminist praxis that accounts for the body as medium for knowing and being in the world (e.g. Butler 1993; Chen and

Moglen 2006; Grosz 1994; Haraway 1988; Martin 1989; Scheper-Hughes and Lock 1987) and that complicates the ethics and politics of care as a response to trauma (e.g. Garcia 2010; Han 2012; Jain 2013; Mol 2008; Mulla 2014; Murphy 2015; Yates-Doerr 2015). A feminist approach to sexual violence necessarily compels me to see trauma as shaped by intersecting identities and forms of violence because, as we know, black and Indigenous women, trans individuals, and women with disabilities are disproportionately vulnerable to sexual violence alongside other experiences of discrimination, violence, and marginalization. Such violence may be experienced individually and directly, or it may impact a community and have intergenerational impacts.⁵² It is also well-documented that sexual and relationship violence are amplified during times of conflict, disaster, and crisis (e.g. Seifert 1996; Stark and Wessells 2012; UN Press 2021; Wood 2006). This intersection and sedimenting of experiences is commonly known as complex trauma, which for me highlights the need to address trauma holistically.

This overall understanding of trauma aligns closely with the CARE office's perspective and approach to supporting survivors. CARE is situated as an expert in trauma-informed care among student support resources on campus and provides required trauma-informed training for professionals involved in Title IX investigation and adjudication processes. As the prevention education coordinator for the CARE

⁵² This is commonly known as historical trauma. While I don't have space here to discuss more fully, there is an exciting burgeoning field of research on epigenetics that seeks to understand how trauma is passed through generations not only as community memory, but as written on and in the body. This field was spurred by studies with survivors of the Holocaust and their offspring, with subsequent studies around histories of colonialism, slavery, survivors of other genocides, and more (see Yehuda and Lehrner 2018 for a review of this scholarship).

office, I designed and presented new trauma-informed guidance for Colleges, Housing, and Educational Services (CHES) staff and for graduate student instructors. I found the framework for trauma-informed care offered by the Substance Abuse and Mental Health Services Agency (SAMHSA) to be a useful orientation for training campus staff. SAMHSA's approach is structured around the "4 Rs":

1. *Realize* the widespread impact of trauma and potential paths for recovery.
2. *Recognize* the signs of trauma.
3. *Respond* using six key principles, which include safety, transparency, peer support, collaboration, empowerment, and consideration of culture, gender, and history.
4. *Resist* re-traumatization.⁵³

My approach extends this framework for trauma-informed care from the clinical or social-services setting in which it was developed to university and educational practices more broadly.

It is not possible for instructors to implement trauma-informed practices if we don't first realize how vastly and disparately students are experiencing trauma on our campuses. According to the National College Health Assessment in 2019,⁵⁴ which surveyed nearly 55,000 undergraduate students at US colleges including UCSC, 79% of students indicated that they had experienced traumatic or very difficult to handle events in the last 12 months. Over 50% indicated that academics were traumatic or very difficult to handle, and more than one-third of respondents indicated experiencing impacts to their family and intimate relationships, finances, and sleep. In

⁵³ https://ncsacw.samhsa.gov/userfiles/files/SAMHSA_Trauma.pdf

⁵⁴ The fields indicated included: academics, career, death of a family member or friend, family problems, intimate relationships, other social relationships, finances, health problems, personal appearance, sleep difficulties, and other. See https://www.acha.org/documents/ncha/NCHA-II_SPRING_2019_US_REFERENCE_GROUP_EXECUTIVE_SUMMARY.pdf

all areas, women's affirmative response rates were higher than men's (the only demographic breakdown given in the report). As troubling, over 50% of students indicated that they were facing difficulties in three or more of the areas given. This demonstrates that not only are rates of traumatic experiences high, but also that the trauma and hardships that students are facing on campus are complex and overlapping. Troublingly, although not surprisingly, data shows that these experiences have been greatly exacerbated by the COVID-19 pandemic. The NCHA survey two years later in 2021 found that 93% of students indicated facing challenges in these same areas during the past year, with 75% of students reporting distress in 3 or more areas.⁵⁵

From the perspective of a survivor advocate, I would be remiss not to mention that sexual violation on campuses is also extremely prevalent. According to the National Sexual Violence Resource Center, approximately one in five women, one in 16 men, and one in three trans and gender nonconforming students are sexually assaulted while in college (not to mention the greater numbers who come to college with prior experiences, or those who experience other forms of sexual and relationship violence not accounted for in these numbers). Therefore, we must

⁵⁵ The wording of the question changed this year to say: "Within the past 12 months, have you had problems or challenges with any of the following: academics, career, finances, procrastination, faculty, family, intimate relationships, roommate/housemate, peers, personal appearance, health of someone close to me, death of a family, friend, or someone close to me, bullying, cyberbullying, hazing, microaggression, sexual harassment, and discrimination." Students could rank whether the problem caused moderate or severe distress for any answer they indicated yes. The survey later asked about diagnosis of PTSD or other acute stress- and trauma-related conditions, of which only 6.8% reported having such a diagnosis, while 29% of students reported being diagnosed with anxiety (neither of which were included in the 2019 survey). See more at https://www.acha.org/documents/ncha/NCHA-III_SPRING-2021_REFERENCE_GROUP_EXECUTIVE_SUMMARY_updated.pdf.

approach our classrooms with the understanding that there *are* survivors and students experiencing complex trauma present in that learning community.

Collective Trauma and the Pandemic

The emergence of the COVID-19 pandemic brought renewed interest in trauma-informed training from campus staff and new thinking about trauma-informed teaching nationally, especially in terms of online and remote education (Imad 2020; McMutrie 2020; Stommel 2020). The pandemic caused massive disruption in people’s lives on a collective scale, from lockdowns and social isolation (of which California was the first U.S. state to implement a stay-at-home order in March 2020) to shifts in work and learning online without adequate resources to illness and death of family members. Within American higher education, the pandemic came at a moment when students were already facing burdens from massive student loan debt and competing obligations (to work and to supporting family) that impact their education. As Sara Goldrick-Rab and Jesse Stommel write, “Today’s college students are the most overburdened and undersupported in American history” (2018). COVID-19 knocked this already shaky foundation out from under students’ feet. As pandemic impacts to learning have lingered, there has been a flurry of articles acknowledging the “college mental health crisis” affecting students over the past three years.⁵⁶ This context of crisis, distress, and disruption illuminates the necessity of approaching

⁵⁶ A May 2023 search of the keywords “mental health crisis” on the Chronicle of Higher Education populates 48 articles since April 2020 (when most universities shifted remote due to Covid), with 36 articles over the 15 years prior from 2004-early 2020.

education from a trauma-informed lens; though I want to argue for extending this conversation beyond just the pandemic and remote context and for integrating trauma-informed practices into everyday pedagogies.

As CARE's prevention educator, one of the projects that I identified as most urgent in Spring 2020 – when UCSC sent the vast majority of students home from the dorms and moved all courses online – was to create guidance for instructors to integrate trauma-informed practices in remote classrooms. I spent three weeks putting together outreach messaging that was guided by SAMHSA's "4 Rs" framework (discussed above) and by the impacts that I and other CARE advocates were hearing from clients in this transition. Notably, I wanted to address concerns about the impacts of sheltering in unsafe living environments, survivors' isolation from their support networks, and newly emergent forms of harm through "Zoom Bombing" in the online environment. This project had four key goals:

1. To provide basic education on what trauma is and how widely it impacts those in our UCSC community.
2. To acknowledge the unique risks that the shelter-in-place situation may have for domestic violence survivors.⁵⁷

⁵⁷ The additional risks of control in domestic situations were an immediate concern from survivor advocates. As sheltering-in-place and staying home was promoted nationally as the thing that would keep us safe (from the virus), it must be acknowledged that home is not a safe place for everyone. In fact, domestic violence is so common because it happens behind closed doors, in a home environment that is sheltered and not visible to those outside. With social isolation, the risk factors and impacts of domestic violence became even more hidden. Additionally, the collective trauma and stressors that the COVID-19 pandemic caused amplified risks of violence in new ways, as crisis situations tend to be a trigger for abusers to find new ways to assert control over their worlds. This trauma was further compounded for survivors, who may have been cut off from their support networks, had their coping strategies taken away, and had safety plans disrupted as they could no longer leave the house.

3. To offer suggestions for trauma-informed and inclusive pedagogical practices.
4. To situate the CARE office as a resource for instructors seeking to account for trauma and distress in their classrooms, or who themselves needed additional support.

On April 14, 2020, I sent an outreach to all department managers and asked them to share with faculty, graduate students, and academic staff.⁵⁸ While this project was responsive to the immediate disruption of the pandemic, the framework of considering trauma-informed approaches in the classroom was rooted in the conversations that emerged from the graduate student learning community I facilitated one year earlier as well as in my work as a survivor advocate over the previous nine months. My outreach clearly situated this survivor-centered perspective: “The stressors related to the COVID-19 situation are resulting in a collective trauma that is experienced by everyone, but differentially for survivors and communities with complex trauma histories.”

After a few months of witnessing how the remote and pandemic context was impacting survivors’ experiences in the classroom, and with the realization that

⁵⁸ One of the bureaucratic challenges of outreaching to instructional staff is that there is not actually a direct or coherent way to do so across the university. Tenure-track faculty can be emailed through the academic senate lists; however, this excludes all instructors who are contingent or non-Senate faculty. Additionally, there is no singular way to reach Graduate Student Instructors (GSIs), who are the instructor of record for their classes, or Teaching Assistants other than through more general “all graduate student” listservs, the Graduate Student Union, or the Graduate Student Association (the elected student government). Therefore, any outreach to instructors relies on the support of other staff to relay those messages. While I determined that Department Managers would be the most streamlined way to reach the widest number of instructors possible, I don’t actually know how many faculty, instructors, or academic staff received this message.

university operations would continue to be remote beyond the Spring 2020 quarter, this trauma-informed guidance was updated through collaboration with partners and graduate instructors on campus. The CITL and a group of graduate students in Sociology had started crafting guidance for teaching in distressing times from an anti-racist perspective in the wake of the murders of George Floyd, Breonna Taylor, and other by police.⁵⁹ Their document took seriously the calls for community care that emerged from the Black Lives Matter protests for racial justice in the summer of 2020. Sexual and racial violence are entwined; histories of slavery and Indigenous dispossession in the U.S. extend into the present and shape both differential vulnerabilities to sexual violence for Black and Indigenous women as well as the continued inaccessibility of support and justice for communities of color (e.g. Burke and Brown 2021; Crenshaw 1991; Deer 2015; Freedman 2013; Hartman 1997)

Acknowledging these intersections, I collaborated with CITL staff to integrate into this document the challenges that CARE was hearing survivors were facing and to strategize suggestions for mitigating the impacts of remote learning. Specifically, I centered survivors' safety and empowerment – as two of SAMHSA's trauma-informed principles – in the feedback I contributed to this collaborative project. Ultimately, a document on trauma-informed teaching was published on the “Keep

⁵⁹ While I did not connect directly with those scholars in Sociology, I offer gratitude for the important anti-racist perspectives that Theresa Hice Johnson, Michelle Parra, and Rebecca London brought to the trauma-informed teaching document that was initially produced.

Teaching” website,⁶⁰ and CITL integrated this perspective into their workshops on fostering student resilience for instructors.

Inclusive and Trauma-Informed Pedagogies

Because of the intersections between racial violence and sexual violence, these blended perspectives – anti-racist, survivor-centered, and accessible teaching – created guidance that was robust, holistic, and equity-focused. It acknowledged the differential ways that UCSC community members were experiencing trauma in the pandemic. While incorporating many of the universal design principles that the TLC emphasizes generally, I suggest that a trauma-informed teaching practice more explicitly centers student (and even instructor) well-being by accounting for their lived experiences. It is, for me, a practice of teaching with care. Being trauma-informed compels me to ask how I can support students to show up as their whole selves in the classroom and do their best work.⁶¹ I also argue that a trauma-centered perspective can enhance equity and education beyond spectacular moments of disruption and crisis. The pandemic illuminated the necessity of integrating trauma-

⁶⁰ The Keep Teaching website was created to support instructors in transitioning to remote teaching during the COVID-19 pandemic. Trauma-informed teaching guidance can be found here: <https://keepteaching.ucsc.edu/teaching-practices/trauma-informed-teaching>.

⁶¹ This is a principle that I hold closely as an educator, a supervisor / mentor, researcher, and an advocate. I think that providing structure, giving transparent information, and engaging in shared vulnerability, and being flexible to individual needs (where possible) provides a foundation for success. Unannounced assignments, pop quizzes, and overly rigid policies cause stress and anxiety for all students and have an even greater harmful impact for students with trauma experiences. There are kinder ways to ensure accountability for coursework that are no less rigorous. I have learned a lot from mentors who share test or essay questions in advance, so students can prepare with focus. I take this practice with me into the supervision / work environment as well. As the Prevention Educator for CARE, I hired student interns for two academic year cycles. I shared interview questions with student applicants in advance, so they could prepare and take the job application itself as a learning process.

informed practices in higher education due to unexpected challenges with remote teaching and learning, and I hope this perspective can be maintained as universities transition to hybrid and in-person classrooms.

It should be clear that my sense of creating trauma-informed classrooms asks that, rather than *either/or* relationship to universal design, we take a *both/and* approach to inclusive pedagogy. Here are some central practices in what I am situating as trauma-informed pedagogy:

1. It centers safety, empathy, and flexibility. Trauma-informed pedagogy is anticipatory *and* responsive. It asks instructors to plan for how to mitigate the ways that trauma might impede learning, while also being open to accommodation and adjustment to best support students. This builds trust among teachers and learners in the classroom.⁶²
2. It values personal experience – including life history and identities – in the teaching and learning process. In so doing, a trauma-informed approach acknowledges and works to subvert power, inequity, and exclusion in the classroom.
3. It approaches learning as not only a cognitive process, but also an embodied one ([drawing from Haraway 1988; hooks 1994; van der Kolk 2014; Williams 2016](#)).

⁶² Of course, this is asking for emotional labor from instructors, which Arlie Hochschild describes as “labor [that] requires one to induce or suppress feeling in order to sustain the outward countenance that produces the proper state of mind in others—in this case, the sense of being cared for in a convivial and safe place” (Hochschild 1983, 7). Emotional labor and empathy is not the answer on its own; I’ll return to structural supports for trauma-informed pedagogy in the conclusion.

4. It situates learning environments in the broader social, political, and environmental contexts that frame how participants come to the classroom. This includes accounting for widespread stressors and mental health impacts due to pandemics, natural disasters, and racial violence, among other crises.
5. It considers the instructor as a full participant in the teaching and learning process – not as a neutral vector for doling information, but as a person who brings their own perspectives and life experiences to the classroom.

To reiterate what I'm saying, trauma-informed pedagogies account for the politics of knowledge production and are a practice of care. I want to be clear that flexibility and accommodation do *not* make the learning process less rigorous, nor do they allow teachers or students to evade accountability for learning and difficult conversations. Rather, the framework I propose here considers how empathy, vulnerability, and active engagement with power enables more robust, inclusive, and generative forms of education for all.

Approaching education from a trauma-informed lens is one way of building trust within a learning community. A trauma-informed pedagogical practice is not only about how a course is designed, but is also demonstrated through the teaching practices from an instructor. Building trust starts with communication. I think instructors have a lot to learn about “linguistic trust” from the work that survivor

advocates do on a daily basis.⁶³ I conclude this chapter by offering a few strategies that I have used as a researcher, instructor, and survivor advocate to build trust in a trauma-informed way that I hope other educators can learn from.

First, establish safety and rapport. It is critical that survivors – or any student dealing with distress – feel emotionally, psychologically, and physically safe if they are to be able to learn. Creating safety means being sensitive to the ways that course content and structure might differentially impact those with trauma experiences or from different identities and cultural backgrounds. Content advisories and classroom agreements around respect for others can help to create structures for engagement, not to censor students or teachers. Getting to know interlocutors, students, and clients as full persons – not only in relation to their experience of violence, but also in their aspirations for learning, growing, and finding community – has helped me to establish rapport. In the classroom, I usually invite students to share any access needs, technological challenges, or personal interests in a confidential survey at the start of the quarter and do a subsequent check in survey around midterms. Relatedly, I have invited students to share their own de-stressor activities and something bringing them joy in weekly discussion sections or team meetings. Such practices give students a voice in shaping and showing up in the classroom. I also see trust as a two-way street of being open about my own perspectives, while respecting professional boundaries. Rapport has

⁶³ I want to thank my co-panelists and moderators in a panel on “Articulating Trust” that I participated in during May 2021, including Amanda Rysling, Ivy Sichel, Kara Hisatake, Kelsey Saskai, Bahiyyah Maroon, and Megan Moodie. These scholars and other audience members helped me to shape (and articulate!) my thinking around the centrality of language to building trust in the classroom. See more at <https://sites.google.com/ucsc.edu/articulatingtrust/home> (last accessed August 1, 2023).

required me to be clear about my research goals, my expectations for students as an instructor, and the limitations of my role as an advocate. Sharing information about other support resources in course websites and syllabi or outreach to students can help to build broader networks of support and care.

Second, integrate flexibility and choice, while being clear about expectations and requirements. As a researcher, I used open-ended questions and using semi-structured protocols. In interviews, I began by first sharing information about myself and my research, and then inviting participants to share with me information about their background. Then I typically asked, “wherever you want to begin, tell me about your experiences that brought you into this research project.” This created an opening for participants and tried to resist putting them in a box. Similarly, in my work as an advocate, rather than asking new clients what happened, I usually began client appointments with questions like “what brings you into the CARE office?” or “What kinds of support are looking for today?” This framing allows my interlocutors the ability to share their story in a way that is relevant for them and to only share what they are comfortable with. In the classroom, I have tried to offer students multiple ways of engaging with course material, by speaking out loud, writing thoughts in Zoom chats or self-reflection exercises, or using other kinds of games and activities can meet students where they are at. For essay-based assessments, providing options can give students choice to engage with content that is most accessible to them without repercussions on their grades or learning. If there are ways in which I cannot be flexible (such as around required assignments, deadlines, or participation

expectations) I have tried to be transparent about why – what learning goals or institutional policies underlie those requirements and limitations.

Third, mirror the language that people use to describe their experiences. This is aligned with establishing rapport. If, for instance, as a researcher or advocate a student discloses to me that a friend had sex with them when they were drunk, I don't label their friend a perpetrator or assailant, and I won't name that as sexual assault for them unless they do. Sexual violence is an act that takes away someone's power, so allowing them to define their experience for themselves puts power back in their hands. As an instructor, we often hear from students about hardships they are facing and how that is impacting their abilities to participate in the course. In providing support for their academic success, it helps if instructors do not assume anything about students' experiences or their emotional states, since trauma can show up differently for different individuals.

And fourth, allow for pauses, breaks, and for things to be left unsaid. As educators, researchers, and mentors, we should not need disclosures or details of students' experiences to be able to offer support and resources or to advocate for their needs. As a teaching assistant and graduate instructor, I have not required DRC letters to accommodate students' needs for flexibility; however, of course this does not mean being endlessly flexible or compromising instructors' own capacity and well-being. Instructors should give themselves permission to take breaks (maybe one lecture needs to be cancelled for emergency reasons) and ask for support when needed.

All of these strategies can be brought into a teaching practice – from how we get to know our students, how we are radically honest (B. Williams 2016) about ourselves, how we use language that is supportive and relevant to students’ lives and experiences, and how we allow for flexibility and accommodation without needing to know the whole story (or, per Chapter 2, without requiring that story to fit into dominant scripts about sexual violence, trauma, and survival). These are not meant to be a one-size-fits-all model, but rather to provide a starting point for building a trauma-informed teaching practice based on my own experiences and what I have heard from survivors at UCSC since 2017.

Conclusion – Moving Beyond Compliance

What I hope this dissertation has illustrated is that supporting survivors and preventing violence are matters of equity and belonging on campus. As the “Beyond Compliance” initiative at UCSC asserts, campus sexual violence is not merely a legal problem, but a cultural one.¹ Ending violence and harassment requires shifting the conversation beyond the bare minimum required to comply with the law and toward a broader set of ethical values of safety, care, and equity.² Beyond Compliance is an urgent reminder that UCSC needs to do more to ensure a just and safe campus for all. Beyond Compliance was initiated by former Executive Vice Chancellor (and emeritus Professor of Anthropology) Alison Galloway and has been operating on campus since 2016 through the goodwill and service of faculty, administrators, staff, and students, both graduate and undergraduate. While the initiative has filled crucial policy gaps – notably, to develop best practices for student support when faculty advisors are placed on leave³ – much work remains. We all have a role to play in addressing and preventing violence, whether as students in peer networks, staff in support roles and collegial relationships, faculty as educators and mentors, or administrators in providing leadership, direction, and funding to campus priorities.

¹ As EVC Alison Galloway wrote, “Indeed, compliance to these standards is a basic job requirement. Sexual harassment isn’t just a compliance problem; it is a culture problem” (2016). See the Beyond Compliance website here: <https://cpevc.ucsc.edu/beyond-compliance/>.

² Or what in announcing Beyond Compliance, Galloway called a culture of transformative service: “caring for others and making their needs a priority” (2016).

³ See Beyond Compliance initiatives here: <https://cpevc.ucsc.edu/beyond-compliance/Initiatives/index.html>.

Public discourse about sexual violence frames social understandings of harm and consent as well as how survivors find support. My project has been shaped in significant ways by a number of movements, incidents, and facts that arose during the course of my research: the emergence of the hashtag #MeToo, student activism surrounding two very public cases of sexual assault involving faculty at UCSC, changing federal guidance around Title IX practices and policies, and the Covid-19 pandemic. Each of these moments piqued public interest in sexual violence – evidenced through news articles, popular books, social media trends, and a lot of talk and conversation. An anthropological perspective, committed to long-term and grounded ethnographic fieldwork, has allowed me to follow these events into the everyday practices of violence and survivance on campus, to move beyond easy critiques of institutional failure or individual perpetrators, and to illustrate the effects of both sexual violence and care practices for survivors and the campus community more broadly. My project illuminates the tensions between discourse and practice and the structural constraints on supporting survivors, preventing violence, and building belonging on campus – both in person and virtually.

And yet, as a prevention practitioner, educator, advocate, and student representative at UCSC, a discussion of the structural limitations and challenges is not the point of my conclusion; rather, they provide me with an opening to reimagine what it will take to build a safer, more just, and equitable campus – and in the case of UCSC, one that takes seriously its founding values of progressive thinking and social justice. We can, indeed we must, work so that students like Ariana feel that the

university *is* made for them. This conclusion will take a different format from my previous chapters. Below I describe my recommendations for campus policies, support resources, prevention practices, and further research that – rooted in my findings – can improve measures for responding to, redressing, and preventing sexual violence and harassment on campus. At the end of each section, I reiterate the specific recommendations in a brief and more digestible list format.

Title IX policy and practice

As the previous pages have made clear, Title IX profoundly shapes how sexual violence is understood, talked about, and addressed in the U.S. university environment. Chapter One illustrates the potentials and challenges of Title IX’s administration of the UC’s Sexual Violence and Sexual Harassment (SVSH) Policy through the composite case study of Maddy’s investigation. The increasing legalism and codification of the Title IX process over the past decade has placed an undue burden on complainants and survivors while protecting the due process rights of respondents. This legalism creates inequity, with disproportionate burdens on complainants to make their case, which can cause institutional harm and retraumatize survivors. For survivors like Maddy, even when a Title IX investigation validates their reports through findings of responsibility and associated sanctions, participating in the process is draining and may not lead to the feelings of justice or safety that complainants expect. In Chapter Two, I showed how Title IX’s reach is beyond just those who participate in a formal or informal process. Title IX scripts campus sexual

violence by producing definitional understandings of sexual violence, harassment, and consent in mandatory trainings and by situating reporting (and specifically, the resolution option of investigation) as the central pathway for redress.⁴ These scripts have consequences in determining which reports are found to meet the *prima facie* standard of SVSH and what forms of community support survivors can access on campus.

Policy language will not on its own create a safe and equitable campus, but specific definitions do afford and limit particular opportunities for those who have been harmed to seek justice and accountability. For instance, SVSH Policy revisions in 2021 for the first time at UC included a definition of “Sexual Exploitation” under section B.1.e. of Prohibited Conduct, in response to new requirements under California state law (SB 493). This created a clear standard under which survivors of trafficking, drugging, or misrepresentations about protection and STD status could seek remedy through Title IX.⁵ Relatedly, the 2021 policy included threats of invading someone’s sexual privacy – such as posting or sharing someone’s nude pictures – as prohibited conduct for which survivors can seek remedy. And despite

⁴ I will note that in March 2023, Title IX published an Instagram series to make Alternative Resolution options more visible in their outreach materials. See for instance: https://www.instagram.com/p/CpiYoqIJk78/?img_index=1.

⁵ I will note here that while I was no longer working for CARE at the time of these revisions, in a public forum hosted by the Title IX office to gather students’ feedback on proposed policy changes I shared concerns about the way that the language of “knowingly making a false representation about ... birth control” could be used as a tactic for abusers to try to control the birth control use of survivors or punish survivors for seeking birth control discretely. While I understand this policy change was proposed in light of California’s law against stealthing in 2021, I think that act could be named in the policy specifically for clarity. Reproductive coercion is a known abuse tactic (ACOG Committee 2022). While this is perhaps not a likely outcome, I think that the Title IX office will have to be careful in assessing these reports when they involve intimate relationships to determine the primary aggressor.

the problems with the DOE's Title IX rules that I laid out in Chapter One, UC's subsequent SVSH Policy revisions in 2020 did explicitly include conduct that is sexist, rather than just sexual, as sexual harassment, including hostility based on gender identity, gender presentation, or sexual orientation.⁶

While further changes to Title IX processes and the SVSH policy are limited by federal and state law, there are opportunities to make language and practices more inclusive. Because the UC's policy revision process requires a 30-day public comment period,⁷ I have taken opportunities to provide feedback across multiple policy revisions and to assert my belief that the basic definitions of sexual assault and relationship violence are too narrow. Defining sexual assault through penetration or contact with a list of intimate body parts (and requiring intentionality for the latter) can leave out some survivors' experiences. I saw multiple incidents where Title IX charge incidents as sexual harassment, even if students narrated them as sexual assault in their initial reports. Farah's case discussed in Chapter Two was not found to be sexual assault, even though that is how she experienced the incident of her TA reaching down her underwear. Such findings cause survivors to feel betrayed and can lead to broader feelings of mistrust among the campus community. I recommend that the policy definitions of sexual assault be written more broadly to encompass intimate

⁶ Beyond the scope of this study, I should note that elsewhere the reification of sex-based (or sexist) discrimination and harassment has been turned against trans and gender nonconforming folks to maintain cis women's privilege using Title IX as justification. This battle has been particularly evident in women's sports, where trans athletes are being excluded from participation. A national law to ban trans athletes from women's sports was recently passed by the House in April 2023 (Freking 2023). This contestation deserves future study.

⁷ <https://policy.ucop.edu/policy-changes/index.html>

and nonconsensual contact by a party with a power relationship over the complainant and to include attempted acts of sexual assault even if penetration or intimate contact are not fully carried out.⁸ Relatedly, because threats of invasions of sexual privacy and threats of physical abuse in relationships are named as misconduct in the policy, I recommend threats of sexual assault also be included as a form of sexual harassment.

Similarly, the policy definition of Relationship Violence could more broadly encompass acts of emotional abuse and coercion beyond simply physical harm. While the SVSH Policy acknowledges that “patterns of abusive behavior may consist of or include non-physical acts,” those abusive tactics do not themselves constitute relationship violence as a policy violation, but rather are used in investigations to determine whether a physically-threatening act meets the definition of Relationship Violence or a respondent is the primary aggressor in a relationship. As I explained in trainings I conducted while working for CARE, relationship violence is an act of power and control over another, and all abusive relationships contain dynamics of coercion. Verbal, emotional, and psychological abuse are much more common than physical harm. These patterns of abuse can have a severe impact on a survivor’s safety and well-being, even without physical assault or battery. The current policy definition leaves those survivors unable to seek accountability and sanctions that would remove their perpetrators from campus, despite the fact that prevention

⁸ Note that the policy and Title IX practice does provide the opportunity to charge contact that does not precisely meet the definition of an intimate body part or in which penetration is attempted but not completed – and therefore do not meet a *prima facie* standard for sexual assault – as sexual harassment. However, I heard some complainants in cases like this share that the charge felt invalidating or diminishing of the severity of their experience. This also impacts the sanctions, as there is no minimum sanction for sexual harassment in student cases.

education outreach administered by the Title IX office discuss relationship violence through broader dynamics of power and control.⁹

Beyond the specific language of the SVSH Policy, Title IX procedures could also be more transparent for parties engaged in a formal process and to ensure continuity with staff turnover. As a feminist and legal anthropologist, I am wary of how codifying practices can inhibit flexibility and create further harm for survivors. However, writing and sharing best practices in local implementing procedures could help to set expectations for the parties. For instance, in the 2019-2020 academic year, the Case Management Team discussed virtual participation guidelines for formal processes and communications protocols to ensure support parties were included on case information and outreach (as noted in Title IX's annual reports).¹⁰ Codifying such guidance would help foster transparency and minimize institutional betrayal for those engaged in formal resolution processes.

Finally, Title IX could do more to center confidential and support resources outside and alongside of investigations. Collaborating with CARE on complainant outreach and sharing CARE's information in Title IX messaging has increased the percentage of complainants who have a confidential advocate,¹¹ which helps improve

⁹ I will return to this point in the prevention education section below, but see for example Title IX intern messaging about the "power and control wheel" from October 21, 2022:

https://www.instagram.com/p/Cj-1P05tP3s/?img_index=1.

¹⁰ See page 16: https://titleix.ucsc.edu/pdf/title-ix_2019-20_annual_report.pdf.

¹¹ According to Title IX's Annual Reports, in 2018-2019, Title IX met with 105 potential complainants and CARE supported 38 clients who engaged with the Title IX Office (so 36% had CARE support). In 2019-2020, Title IX met with 122 potential complainants, and CARE supported 66 clients who engaged with Title IX (increasing to 54%). CARE data indicates support for 12 clients who sought Alternative Resolution and 20 who participated in a Formal Investigation, which is 72% of the 44 complainants who elected for formal resolution processes. Annual report data for both years can be found here: <https://titleix.ucsc.edu/about/data/index.html> (last accessed August 1, 2023).

the wellbeing of complainants as they had emotional support and more information about the process. Outside of investigations, Title IX staff also invited CARE to collaborate on orientation programs so that services from both offices were presented to students. However, Title IX trainings and outreach materials do not always include mentions of confidential support resources.¹² Relatedly, Title IX’s website homepage does not have a direct link to CARE as the confidential resource for survivors, despite having a list of other “Related Websites / Referrals.”¹³ I recommend that a link to CARE’s website and contact information be clearly placed on the Title IX homepage, rather than being buried on a subpage of “Sexual Violence and Sexual Harassment Resources.”

Recommendations:

- Expand policy definitions to include threats of sexual assault as sexual harassment and attempted acts of sexual assault as sexual violence.
- Broaden the “sexual assault - contact” definition to encompass sexualized and nonconsensual contact (even if not of an “intimate body part”) by a party with a power relationship over the complainant.
- Broaden the definition of “relationship violence” to include patterns of abusive behavior beyond just physical harm.
- Codify best practices for local implementing procedures to share with participants in formal resolution processes.
- Ensure all Title IX investigators and CROs and hearing bodies receive regular, updated trauma-informed training from CARE or other professionals and report publicly on these training requirements.
- Include CARE’s contact information on the homepage of Title IX’s website and response emails that Title IX sends to complainants (unless they have explicitly opted out of working with CARE).

¹² Particularly on social media. At the time of publishing in August 2023, looking through the Title IX Instagram page (<https://www.instagram.com/ucsct9interns/>) the last mention of CARE’s contact information was in a post listing various on-campus student resources on January 20, despite numerous other posts about resources for stalking, victim/survivor healing, domestic violence, and more.

¹³ As of August 2, 2023.

Evaluation and assessment

Through Maddy’s case in Chapter One, I illustrated how, beyond the initial experience of violence, engaging with a Title IX process can further impact and harm survivors even when there is an outcome that they wanted. Title IX and the case management team can do more to understand parties’ experiences, evaluate whether their equity-based goals are being met, and continually improve their procedures. CARE Advocates and the Respondent Support Services (RSS) Coordinator are the only university staff who see how the entire resolution process is experienced by complainants and respondents – from investigations, to hearings, to sanctioning, and to appeals – and are able to provide holistic feedback in case debriefs.¹⁴ As Maddy’s case illustrated, staff turnover and an increasing turn to outside legal counsel further reduces the ability for this administrative insight.

As a Student Advisory Board representative to the UC Systemwide Title IX Office from January 2018 – June 2019, one recommendation our Board put forth was to conduct post-resolution surveys (elsewhere, I have seen these called “exit surveys”) to assess the university’s response to complaints, equity through the process, and consistency in sanctioning.¹⁵ I subsequently worked on a CCRT

¹⁴ That is, CARE and RSS can provide feedback if they serve as the parties’ listed advisors or support persons and (in CARE’s case because services are confidential) have consent to share. As stated on page 15 of Title IX’s 2019-2020 annual impact report, the case management team initiated case debriefs after adjudication and hearings to identify opportunities for improvement. See here: https://titleix.ucsc.edu/pdf/title-ix_2019-20_annual_report.pdf.

¹⁵ See recommendation 14: https://www.ucop.edu/title-ix/_files/tix-sab-recommendations_final_6_4_19.pdf.

committee to develop a set of post-resolution surveys for reports, informal processes, investigations, and alternative resolutions. Using my training in social scientific survey methods, these were written primarily as Likert scale questionnaires indicating agreement or disagreement with sets of statements about how the party experienced the process with additional space for long-form written comments. Draft surveys were circulated to the CCRT for feedback. Our hope was that these surveys would be sent to both complainants and respondents after a resolution, giving both parties the opportunity to have their voice heard.¹⁶

I recommend the Title IX office (both at UCSC and systemwide) implement such post-resolution feedback surveys to assess equity and procedural justice in the Title IX practices (e.g. Blader and Tyler 2003; Tyler 2006). Such feedback might provide the office with a better understanding of why people impacted by SVSH choose to speak with their office (remember from Chapter Two that Kat expressed reporting to Title IX was a validating experience for them after not receiving support from faculty and peers) as well to as identify opportunities for improvement. Grand River Solutions, an expert consulting training firm on Title IX and equity in higher education, similarly asserted during a training I attended in November 2021 that assessments are a way to reduce bias in Title IX investigations. Such data could go a long way toward demonstrating the UC's "institutional courage" – a concept coined by Dr. Jennifer Freyd to indicate the "force that transforms institutions into more

¹⁶ This project was listed on the Title IX CCRT Website as a highlight for the 2018-2019 academic year: <https://titleix.ucsc.edu/about/cprt1/past-highlight.html> (last accessed August 1, 2023).

accountable, equitable, effective places for everyone” (“Center for Institutional Courage” n.d.) – and position as a national leader in equitably addressing and preventing sexual violence.

Recommendations:

- Implement post-resolution surveys to evaluate and assess participants’ experiences and equity through Title IX processes.

Alternative resolution and restorative justice

While Chapters One and Two posit some critiques of narrow implementations of Title IX, particularly as processes are coded as “neutral,” I do not intend to contribute to broader public discourses that see Title IX only through the overdetermined lens of institutional failure. Rather, I hold close to the feminist ideals of gender equity and safety that underpin early advocacy efforts in writing Title IX into law and clarifying its purview over sexual harassment on campus. In particular, I want to uplift the educational and accessibility missions of Title IX as an office that not only provides disciplinary sanctions for respondents, but also situates engagement in any process – formal or informal – as a developmental opportunity for growth and learning. Student respondents like John, discussed in Chapter One, face not only potential suspension as an outcome of investigations, but always have educational sanctions when there is a finding (and not a sanction of dismissal from the university). Common requirements include attending a set number of counseling sessions, completing particular educational programs (such as readings, workbooks, or watching videos) on consent or respect, reflection papers, and community service

that must be completed before they can re-enroll at the university.¹⁷ The RSS Coordinator provides support to people like John during their case, when transitioning to a suspension, and during campus reentry to facilitate their learning and development. As I discussed in Chapter One, the involvement of outside legal counsel inhibits the educational mission of Title IX as lawyers engage adjudication in an adversarial, rather than an educational, mode. Emphasizing the developmental and support opportunities, such as encouraging student respondents to connect with RSS, can have positive impacts for all parties.

Given the ways that legalistic practices can reproduce harm and patriarchal ideologies that seek to discredit survivors (see Chapter One), alternative processes of dispute resolution and mediation have been figured as feminist strategies for justice (e.g. Nader 1993). Many survivors do not see punishment as the goal; rather, they want to feel like they can move about campus safely, they don't want to have to see their perpetrator, they want an apology, or they want the person who harmed them to learn from the impact of their actions to prevent future harm. In the campus context, investigations are not the only formal resolution process that Title IX provides; Alternative Resolution (AR) was formalized into the UC's SVSH policy for the first time in 2019 as a process that Title IX staff (Complaint Resolution Officers, or CROs) can mediate. Alternative Resolution is a process whereby survivors can ask for non-disciplinary safety and educational terms,¹⁸ and the respondent's agreement

¹⁷ Find a list of actual sanctions implemented for student respondents in the 2021-2022 academic year here: <https://titleix.ucsc.edu/about/data/draft-data-2022.html> (last accessed August 2, 2023).

¹⁸ By non-disciplinary, I mean that a complainant cannot request terms that impact the respondent's educational or employment status, such as suspension or being removed from one's job.

to them is mediated through the Title IX office. Alternative Resolutions further support the developmental mission of Title IX, as educational terms like reading about consent or attending counseling sessions are commonly requested.¹⁹

Alternative Resolutions also can support procedural justice and equity, even as the staff who oversee them remain neutral. This formal process is not available when a respondent is an employee and a complainant is a student, therefore trying to level some of the structural hierarchies that could shape the agreement of terms. Additionally, complainants have more control over the resolution as only complainants can set terms, and while respondents can agree to those terms or not, only the complainant can say when and if the resolution is satisfactory enough to be formalized in writing. If a respondent does not agree to an educational measure, the complainant can decide that their goals are not met by the AR and elect to move forward with an investigation or other grievance option instead.²⁰ I acknowledge that ARs can, like other forms of mediation (e.g. Basu 2012; Hirsch 1998), reproduce the structures of power and inequity in formal legal options, since CROs hold a lot of individual sway to shape what terms they think will mitigate the harm and impact, what terms they allow to be proposed, or how they influence complainants and

¹⁹ For instance, a respondent should not be able to request that a complainant engage in counseling or additional education. Examples of AR terms can be found here: <https://titleix.ucsc.edu/resolution-options/alternative-resolution.html#AR4>.

²⁰ This is because, per the policy, agreeing to an Alternative Resolutions forecloses the possibility for opening an investigation or grievance in the future, unless the terms of the agreement were not fulfilled by the respondent or the prohibited conduct did not stop. Therefore, the incentive for respondents to agree to an AR is that they will not face disciplinary action, and in practice CROs would make this clear in meetings. The challenge, however, is that this foreclosure can potentially be disappointing or a source of frustration for survivors who decide to pursue an Alternative Resolution because they want some measures quickly or don't feel ready to pursue a Formal Investigation, but later decide they want to see discipline for whatever reasons.

respondents to engage. Yet I still see potential in ARs to enhance safety and equity without centering and reproducing the criminalizing logics of investigations as the only remedy available.

To illustrate through an example, Ariana resisted pursuing an investigation even though her ex-partner and abuser was also a student at UCSC.²¹ Instead, she sought accommodations from CARE and support to move into housing on campus where he wouldn't know her address. However, when she signed on to the first day of a Psychology course in Fall 2020 and saw him on Zoom, she met with a Title IX investigator, Eva, to discuss her options. Ariana decided to pursue an AR so she would not risk having him in a class in the future. While Eva explained that Title IX could not remove him from the class and would not propose his withdrawal as a term, Ariana requested and was granted a No Contact Directive²² so her ex would be prohibited from communicating with her. Additionally, Eva would work with the professor and TA to ensure Ariana and her ex were not put in small group discussions together and his camera was kept off. Finally, as a term of the AR, Ariana and her ex agreed to share their tentative class schedule with Eva before enrolling in future quarters and the investigator would communicate with Ariana if they were planning on taking the same course. This resolution agreement was completed in a few weeks with Ariana only having to attend two meetings with Title IX staff, therefore taking

²¹ As a reminder, because Ariana is a composite character, this example is also a fictionalized case to illustrate how AR is enacted in practice.

²² Prior to December 2021, no contact directives (NCDs) were always mutual and prohibited contact from either party. After the implementation of California's state bill SB 493, the UC SVSH policy was revised to allow for unilateral NCDs.

much less time and emotional energy than an investigation, while still providing clear guidelines and future options for remedy that helped Ariana feel safer on campus.

During the time I worked for the CARE office, there was a lot of enthusiasm about the potentials of building restorative justice into the Alternative Resolution process among Title IX, Student Conduct, and other campus staff at UCSC.²³ Restorative justice (RJ) has become a hot topic of interest and implementation in sexual violence response – both in communities and on campuses.²⁴ Restorative justice emerged out of Indigenous traditions and racial justice critiques of carceral logics as a mode for seeking individual healing, learning, and community restoration, rather than punishment. Restorative justice requires that perpetrators take responsibility for the harm they have caused and agree to accountability measures or community-level sanctions (James and Hetzel-Riggin 2022), which means that those facilitating RJ processes must carefully determine whether the respondent is ready and mature enough to engage. Clinical psychologist and public health researcher Mary Koss has perhaps written most extensively about the possibilities of RJ for addressing sexual and intimate partner violence (e.g. Koss, Bachar, and Hopkins 2003; Koss, Wilgus, and Williamsen 2014; Koss 2014). Koss’s analysis of the RESTORE Program – a conferencing program for misdemeanor and felony sexual

²³ The 2019-2020 Title IX Annual Report details the Alternative Resolution Workgroup as one project the office undertook that year, which explored building RJ into the AR process: https://titleix.ucsc.edu/pdf/title-ix_2019-20_annual_report.pdf.

²⁴ Restorative justice practices have more widespread use among student conduct processes – both nationally and at UCSC – outside of Title IX and the SVSH policy. At UCSC, RJ is used to resolve peer-to-peer conflict, climate situations in residence halls, and sometimes in other conduct policy violations such as vandalism, noise, or hate/bias misconduct. See more here: <https://ches.ucsc.edu/restorativejustice/>.

assaults, not a campus-based model – finds that victims and responsible persons both often report high rates of satisfaction with the RJ process, and that victims report better mental health outcomes (2014). Her research suggests the RESTORE model of conferencing, which includes describing impact, apology, and agreeing on restorative activities, could be adapted for higher education’s approach to sexual misconduct.

In summer 2020, I – along with other CARE and Title IX staff from UCSC – attended a virtual four-session training on “Implementing RJ for Campus Sexual Harm” through the University of San Diego’s Campus PRISM Project.²⁵ The trainings presented various campus examples and models, most of which wrapped RJ into their Alternative Resolution procedures and had these processes facilitated by Title IX staff. Some campuses use conferencing, where parties are prepared to meet and directly and have their dialogue facilitated by an outside practitioner; others use shuttle facilitation, where the RJ practitioner relays information between parties (“USD Center for Restorative Justice Initiatives”). Shuttle facilitation in some ways mirrors how Alternative Resolutions at UCSC already are enacted. While I was encouraged by the commitment to intersectionality and non-punitive approaches to redressing harm evident in these universities’ models presented in the training, I am wary of institutionalizing RJ into or subsuming it under Title IX. As one review of campus RJ approaches suggests, institutions of higher education and Title IX tend to be more focused on compliance than support and educational access:

²⁵ The PRISM Project – which stands for Promoting Restorative Initiatives for Sexual Misconduct – is part of USD’s Center for Restorative Justice and is a national leader in research on, training about, and resources for implementation of RJ on college campuses in the U.S.

Giving RJ processes lip service and reducing them to a checklist without greater change to the overarching systems could lead to similar revictimization experiences, loss of confidentiality, and threats to the safety of victims, especially if survivors feel pressured to participate” (James and Hetzel-Riggin 2022).

Similarly, scholars who have studied Indigenous RJ practices, particularly Navajo Peacemaking, show that restorative justice for sexual and domestic violence does not always offer an egalitarian space through which survivors can participate and compromise, particularly when apology is privileged as the primary sanction or outcome (e.g. Coker 2006; Deer 2015). If the goal of RJ is to be a more equitable form of remedy, there must be careful attention to how power may be reproduced structurally (even if unintentionally) through the restorative process.

If UCSC is committed to moving forward with building restorative models through the Alternative Resolution process, my recommendation would be to design a legally and ethically viable model where RJ conferencing is facilitated by an outside practitioner whose professional obligation is not on compliance and liability (so not facilitated directly by Title IX investigators or CROs) and who has expertise to adequately assess respondents’ readiness to accept accountability, ensure survivors are not coerced into participating, and facilitate listening sessions and agreements that equitably disrupt power dynamics and center survivors’ well-being.²⁶ I also think there is a lot of potential for RJ to repair community-based impacts of sexual harm,

²⁶ I mention legally viable here because one concern that repeatedly came up in questions during the training series was around acknowledgement and admission. Because RJ requires that respondents take accountability for their actions and harm they caused, there were concerns that seeing this as an admission of “guilt” in a civil or criminal case would limit respondents’ abilities and willingness to engage. Making a recommendation on how to best navigate this barrier is beyond my area of expertise, but it is something that I know universities have already been strategizing around.

such as in cases where there are multiple people who caused harm, multiple victims, and/or that gain public and media attention, by using restorative justice circles. UCSC has some test case experiences with RJ circles. In the wake of news of a settlement with a survivor for the university's handling of a sexual assault complaint against a faculty member, the Beyond Compliance Initiative hosted a Restorative Justice Community-Building Circle in March 2017 that was open to all campus members to debrief the impact this case had for students, faculty colleagues, and staff (Hernandez-Jason 2017). While I was not personally in attendance, I heard from students I interviewed that while they were encouraged by the event, they did not all feel like they could speak up due to power dynamics among attendees. However, suggestions that students raised there, such as more training for faculty, *have* been taken up by the Beyond Compliance committee. I think future circles – with more planning and intentional facilitation skills to ensure hierarchies are not reproduced within the circle – have potential to repair community harm and create campus cultural change to prevent future harm.

Recommendations:

- Ensure campus awareness of Alternative Resolution (AR) as an option for redressing SVSH.
- Codify AR practices that give complainants control over setting terms and agreeing to resolutions.
- Ensure survivors understand that agreeing to an AR waives their right to pursue a Title IX investigation for that conduct in the future.
- If restorative justice (RJ) is built into the AR process, hire outside RJ practitioners to facilitate between the parties (not Title IX CROs).
- Use RJ circles to address community harm in public cases or those that impact broader communities on campus (academic or work departments, sports teams, student organizations, etc.).

Confidential and community support

Outside of Title IX and administrative processes for remedy, my research makes clear that the campus needs more robust spaces for survivors to seek confidential and community-based support. The CARE office is an important and critical resource for survivors on campus. Advocates provide emotional support and accommodations, are trained in crisis management and identifying safety risks, and are knowledgeable about survivor rights and reporting options. Yet CARE's scope is limited both by legal requirements and staffing capacity. While CARE has purview to provide confidential services for people impacted by any forms of harm noted in the SVSH policy, the majority of advocacy services have to involve cases of sexual assault, stalking, relationship violence, and human trafficking – acts defined as crimes under the California Penal Code – to maintain the office's legal privilege.²⁷ Additionally, the ability to provide *ongoing* advocacy services is limited by staff capacity. While CARE is often understood as a “catch all” for individual support needs, the office frequently has to decline services and redirect students and staff elsewhere, even if knowing those resources may not be adequate.²⁸

²⁷ CARE is designated a confidential resource under the UC SVSH policy, which exempts office staff from reporting obligations to the Title IX office. Legal privilege is guaranteed under the California Evidence Code for experiences designated as crimes. Therefore, CARE's sexual harassment services cannot be guaranteed privilege, but are still confidential with respect to administrative proceedings. There is some ambiguity with how these nuances are communicated to campus constituents. For instance, CARE's “Advocacy Services” webpage states: “The CARE Office is a confidential space to discuss issues of dating violence, sexual assault and stalking,” and does not explicitly note sexual harassment here (though it is named under other pages in the “Communities We Care For” subsections). See: <https://care.ucsc.edu/services/advocacy.html> (last accessed August 15, 2023).

²⁸ For instance, students struggling with roommate conflicts, bullying, or mental health concerns were frequently directed to CAPS (as there was not at the time an Ombuds office), even as we heard from students that CAPS had long waiting lists to get appointments and they were referred off campus after only a few sessions with a counselor.

As the interviews I discussed in Chapter Two make evident, dominant scripts of sexual violence and harassment – produced through policy and social norms – do not always encompass the intersectional experiences of harassment and discrimination that are racialized or sexist (based on gender identity and sexual orientation). Aliyah’s experiences of being targeted as a black woman on campus were not incidents encompassed under the SVSH policy nor ones that she thought would be taken seriously by the Title IX or CARE offices. Rather, she turned to her community – particularly other black students – to find support. However, her position as a Student Leader meant that she could not guarantee the same support to her peers without reporting to Title IX per her obligations as a “responsible employee.”²⁹ Relatedly, Kat, a queer-identified and gender nonbinary graduate student in STEM, narrated hearing gendered slurs, being asked inappropriate questions about sexual partners, and witnessing racial and gendered microaggressions in their lab as part of a culture of harassment. While Kat acknowledged that “Even if things are said indirectly in my presence, not about me directly, it still is harassment,” they did not think that fact was understood by their colleagues or faculty, nor that those kinds of incidents should be reported. To address these gaps, there should be more resources and options for seeking community support from other survivors and confidential support from trained professionals.

²⁹ This was a challenge repeatedly expressed in trainings I did for student leaders because there are not clear lines delineating when they are acting in the capacity of their employment per the SVSH policy.

Students like Aliyah and Kat turned to their peers and chosen family to find support for dealing with such experiences that fall outside the scope of Title IX or CARE services. It is commonly known that friends are the first place survivors turn to for support and disclosure. However, Erin's experience shows that students don't always understand how to support their peers in more nuanced situations of sexual harassment within friend groups. In the CARE office, student interns provided brief peer-to-peer community support to lessen barriers to accessing services for students who are not ready to meet with a professional Advocate.

And yet, I heard from students that they wanted spaces outside of institutional offices to connect with other survivors, find support, and collectively demand more from the campus. In my interview with Anna and Taylor, two interns with the Womxn's Center, they expressed a critique of campus support spaces as not affording opportunities for student activism. Anna shared that "[we] have been talking about the necessity, maybe, of having this third space that's not the Women's Center, not CARE, not university-affiliated that can just be like focused on activism and be more challenging than those offices." In this way, I heard student survivors and allies wanting more ownership over what their healing could look like. For some, a comfy space with tea and someone to listen helps; others need academic accommodations; and others want to use their voices as activists (see also Chapter 3 on storytelling). At UCSC, students have organized around prominent cases (notably those involving faculty) outside of university offices – such as the #MeTooUCSC campaign and Fiat Justice, which both circulated petitions, held meetings, and organized protests –

however, it is difficult to sustain these organizing spaces with student turnover and capacity. There may be opportunities to blend this approach, where student-led initiatives for community support or activism could be institutionally housed in the CARE office with minimal oversight to ensure continuity of support spaces.

Given the scope and capacity limitations of CARE's ability to serve as the only place of this support, I recommend the university invest resources and explore other options for confidential advocacy support that can encompass a range of diversity, equity, and inclusion (DEI) needs as they intersect with SVSH. The campus did hire and implement an Ombuds in December 2022,³⁰ a service that can help fill critical gaps in streamlining resources and conflict resolution outside of formal grievance processes. However, with its focus on dispute resolution and requirements of neutrality, an Ombuds office can supplement, but does not replace, other confidential support services that are really focused on the needs and wellbeing of someone impacted by harm and that does not have to be a neutral arbiter.

There are a couple ways this support could be implemented institutionally. One option would be to create a confidential support office parallel to CARE whose scope encompasses harassment based on race, gender, sexual orientation, disability, structural hierarchy, or other DEI issues. Another option would be to build confidential advocate or liaison roles into other offices where students already find community, such as the identity-based resource centers. UC Santa Barbara (UCSB)

³⁰ While UCSC had an Ombuds office in the past, it was closed in 2012 due to budget cuts (Hernandez-Jason 2022).

recently deputized the Associate Director of their Resource Center for Sexual and Gender Diversity as a confidential “Title IX Advocacy Liaison” and exempted them from the Responsible Employee policy to better serve queer students impacted by sexual violence.³¹ Relatedly, UC Davis has ensured its LGBTQIA Resource Center and Women’s Resources and Research Center are confidential for survivors of sexual violence and harassment.³² These examples show that the UC SVSH policy can afford such exceptions to the Responsible Employee policy, and providing additional training for existing staff might take fewer institutional resources than forming a new office.³³ Following UCSB, I would encourage UCSC to test pilot designating a small select group of staff as confidential resources who can provide support beyond CARE’s select scope to assess whether this model can help to expand the capacity for support and meet the campus community’s needs around equity and belonging.

Relatedly, focusing on faculty and academic departments as a space of community would make support resources more accessible for graduate students and faculty impacted by harassment and bullying, as those constituents are less likely to access primarily student-facing offices and services. The Beyond Compliance Initiative previously discussed designing a faculty ambassador program, which extended from earlier initiatives to design a training program that would educate

³¹ This position was created in 2020. See more here: <https://rcsgd.sa.ucsb.edu/resources/rcsgd-confidential-resource>.

³² According to the UCD Hate Bias Reporting webpage: <https://reporthatandbias.ucdavis.edu/confidential-resources>.

³³ Of course, existing staff should *not* be given additional responsibilities – especially ones that require the burden of emotional support – without having other responsibilities taken off their plate. There would need to be a readjustment of work duties in the job description, along with more capacity committed for mental health support for staff who take on these roles.

particular faculty leaders to serve as representatives for the campus community.³⁴ I suggest that with robust training in support skills, campus resources, and bystander intervention, those ambassadors could be designated to serve as confidential resources within their department. If there are not enough department-specific resources and capacity, the position could be an “equity advocate” within an academic division with proper institutional support. This faculty ambassador initiative is one worth further exploration by Beyond Compliance if it has not been finalized.

Whether confidential services are expanded beyond the CARE office or not, the campus needs to allocate funding for more full time equivalent (FTE) staffing and to retain current employees in support offices. Sexual violence advocacy staff generally have a high turnover rate because of the emotionally demanding nature of the work, the under-resourcing of offices and salaries, and the lack of opportunities for professional advancement. CARE is no exception. Since the office’s founding in 2015, it has had four different directors, and the average length of employment across all staff members (directors, advocates, educators, and intake coordinators) has been only around 2 years.³⁵ Relatedly, the trauma counselor position in CAPS, which used to be housed in the CARE office, has routinely been vacant with high turnover. Each moment of staff departure and turnover takes time, capacity, and resources for hiring and onboarding new staff, which disrupts services for survivors and ongoing

³⁴ See Beyond Compliance’s 2017-2018 initiatives: <https://cpevc.ucsc.edu/beyond-compliance/Initiatives/index.html> and the 2019-2020 report that Beyond Compliance began work on a Faculty Ambassador Program: https://titleix.ucsc.edu/pdf/title-ix_2019-20_annual_report.pdf.

³⁵ Calculated generally based on what I know and could find about office staff history since its founding in 2015. This number is an approximation.

prevention programs and leads to burnout for existing staff.³⁶ Retention is also an equity issue – as I discussed in the Introduction, the UC’s “social contract” with enhancing diversity in California is not enacted solely through education, but also in its role as one of the largest employers in the state.³⁷

Over the past two years, CARE has been able to add more staff positions.³⁸ However, turnover has persisted; at the time of my writing, there are no CARE staff remaining who were with the office when I left in September 2021. Thus, the campus needs to commit not only to funding for filling these positions, but also to providing the resources necessary to make this work sustainable and support CARE staff professionally.³⁹ As Chapter One and the Interlude on Advocacy illustrated, the emotional labor required to hold space for survivors requires space to recharge. Having a weekly debrief space to navigate the emotional impacts of care work and balance competing priorities between advocacy and prevention was a crucial resource for me personally. When I was initially hired by CARE, staff had a one-month curtailment during the summer, which gave extra time off and accounted for a slower service usage when students were not on campus. However, the loss of one month’s

³⁶ This is not only a problem that CARE is facing, but many support offices on campus – such as Title IX, CAPS, the DRC, the Womxn’s Center, and more – are commonly known across campus to have similar staffing challenges. Turnover at UCSC after the return to in-person operations in 2021 has followed similar national patterns as seen in the so-called “Great Resignation” (Morales 2022; Parker and Horowitz 2022).

³⁷ The university’s 2022 Accountability Report notes that UC system has over 220,000 employees: <https://accountability.universityofcalifornia.edu/2022/chapters/chapter-10.html>.

³⁸ CARE’s 2022-2023 Impact Report indicates 2 staff Advocates and 3 Prevention Education Coordinators. See here: <https://care.ucsc.edu/who-we-are/about-care.html> (accessed August 16, 2023).

³⁹ In general, one other reason I have heard advocacy and prevention staff leave across the UC campuses is due to the lack of opportunities for professional advancement. Building assistant director positions into CARE can provide steps that spread leadership capacity and empower staff.

income was challenging for staff to manage financially, and the new accessibility of remote advocacy services (brought on largely but not solely by the pandemic) has made advocates' caseloads consistently high year round. A best practice to ensure equity and sustainability for staff would be to implement a paid curtailment – even two extra weeks of paid time off per year could make a big difference in supporting staff diversity and retention.

Recommendations:

- Because of the limitations of CARE's scope of services, implement confidential support resources for other DEI or conflict needs.
- CARE or CAPS should consider creating student-driven space for survivors on campus to connect and provide peer support without requiring client affiliation.
- Delegate certain staff with the ability to provide confidential support to underserved populations on campus, with training requirements exempting them from the UC's Responsible Employee policy (either through new staff hires or by rewriting current staff's job duties to lessen other responsibilities).
- Provide ongoing funding for at least eight FTE in the CARE office to meet their current capacity needs in advocacy and prevention.
- Expand vacation time or provide 2-4 weeks of paid curtailment to staff who provide care and support for survivors of sexual violence (CARE, CAPS, Title IX, any staff in student health or resource centers who would be designed confidential per the recommendation above).

Prevention programming

While thus far I have focused primarily on enhancing response and supportive measures, this dissertation has also made clear the critical necessity of preventing violence as one means of enhancing equity on campus. In my role as CARE's Prevention Education Coordinator, I became very invested in prevention not simply as a matter of compliance – or meeting certain training requirements set by the UC –

but as a means of interrupting social norms that underpin sexual and gender-based violence and broadening how all members of the campus community see themselves as a part of the solution.

CARE is an expert in primary prevention – including best practices in public health frameworks to address the root causes of sexual violence on individual, interpersonal, and societal levels. CARE also provides responsive support and education for survivors to manage the long-term effects of trauma. Title IX oversees compliance with mandatory training programs. That office provides for responsive prevention around policy education, reporting options, and stopping re-perpetration. However, preventing violence cannot be accomplished by one or two staff members in the CARE and Title IX offices alone. UCSC needs to expand its commitments and investments to ending violence and creating an inclusive campus.

Trainings and workshops facilitated by the CARE and Title IX offices are a central means through which UCSC as a campus community endeavors to prevent harm. In Chapter Two, I showed that policy education and trainings script how students (and others on campus like staff and faculty) understand sexual violence, trauma, and consent. This understanding, however, does not always translate into practice. While students could recite a robust definition of affirmative consent in the CARE workshops I facilitated, they had trouble talking in nuanced ways about practicing consent, communicating their desires or boundaries, and ensuring their partners' needs are respected. Because faculty and graduate student trainings over-emphasize their mandated reporting obligations as responsible employees, those

trainings are limited in teaching staff to prevent harm or support survivors, as Kat’s case demonstrated (see Chapter Two). Relatedly, while students and staff could list different types of actions that fall under the umbrella category of sexual violence during trainings, they did not always recognize their or their peers’ actions as harmful in practice.

Title IX and CARE approach prevention education from slightly different perspectives. Title IX is responsible for ensuring compliance with all SVSH educational requirements (such as student orientation, mandatory online trainings, and educational terms that come from formal or informal resolutions). As a neutral office, Title IX’s purview is policy education – to ensure all students, staff, and faculty know their rights, responsibilities, and resources around sexual and gender-based violence, discrimination, and harassment. If Title IX trainings discuss consent or dynamics of power and control in ways that fell outside the policy,⁴⁰ it can potentially cause confusion and disappointment for survivors whose reports were not taken up by the office or who came to Title IX expecting support.⁴¹ On the other hand, CARE is not beholden to the policy, so the office can take a much more robust

⁴⁰ For example, see Title IX’s campaign for Domestic Violence Awareness Month, which included educational information on Instagram and posters placed around campus. One post from October 7, 2022 states: “Domestic Violence can look like: Emotional Abuse, Gaslighting, Isolation, Coercion” with examples under each subheading (see here: https://www.instagram.com/p/Cjax8gWty_I/). However, there is not a recognition that this definition this does not align with the policy, which defines Relationship Violence as physical violence or “intentional or reckless physical or non-physical conduct . . . that would make a reasonable person in the Complainant’s position fear physical violence” (<https://policy.ucop.edu/doc/4000385/SVSH>) that are a part of a pattern of abusive behavior (which does include the acts listed on the social media post, but patterns do not on their own constitute a policy violation).

⁴¹ While Title IX can provide supportive measures, there is often a misperception that Title IX provides emotional support for survivors, when in fact it has to be neutral.

approach to primary prevention and dismantling structures of power and control. As a survivor-centered office, CARE does not have to be neutral and can take a more nuanced lens to discussing power and control in prevention programs. Both CARE and the Title IX office hire student interns to provide peer-to-peer education; however, there is not clear information about their different approaches and perspectives for student organizations or campus units who might request a training. I recommend that CARE and Title IX collaborate on developing clear guidance about the different purviews, perspectives, and topics of trainings to share with the campus community so audiences can determine which resource is more appropriate to meet their learning goals and to ensure student interns understand their roles.

Another way that prevention could be expanded is by ensuring programs, messaging, and trainings take an intersectional approach to dismantling structures of power that make certain communities more vulnerable to sexual violence. CARE regularly collaborated with other campus offices – particularly identity-based resource centers – to bring culturally relevant content. For example, I supervised interns to collaborate on a workshop and social media campaign called “Unlearning Machismo” with interns from El Centro; I designed a training on self-care and community care for BIPOC student leaders; CARE supported the American Indian Resource Center on their annual events for Missing and Murdered Indigenous Women; and CARE’s team received training from the African American Resource and Cultural Center on recognizing our own internal biases that we bring to prevention and advocacy. These collaborative programs are important, and feedback

suggested they made an impact on communities; however, they tended to be one-off programs that were not sustained (largely due to staff turnover and capacity). There could be more emphasis and resources directed to preventing violence at the intersections of gender, sexuality, and race and disrupting long-held dominant scripts that racialize and gender who is (thought of as) a perpetrator and victim.

Regardless of who is providing prevention trainings or educational campaigns, such measures are most effective when they emphasize skill building around positive social norms. One evidence-based best practice in prevention is teaching bystander intervention techniques.⁴² Bystander intervention seeks to train third-party witnesses in “high risk” situations how to recognize potentials for harm (often called “red flags”) and safe ways to intervene in the situation. It has become a standard in sexual violence prevention work on college campuses and has been widely studied in the field of social psychology (e.g. Banyard, Plante, and Moynihan 2004; A. L. Coker et al. 2011).⁴³ Yet the effectiveness of bystander intervention trainings is often determined through self-reported rates of bystander behavior, and the evaluatory literature often does not differentiate between different contexts of power in which sexual violence occurs (McMahon and Banyard 2012). Bystander intervention was one of the most commonly requested workshops from CARE, and it is required to be

⁴² There is a variety of language used for such programs, such as “upstander skills” or “moving from bystander to advocate.” I’ll use the language of bystander intervention to mirror that which is most commonly used by CARE and Title IX at UCSC.

⁴³ Green Dot is one of the largest and well-studied bystander programs on U.S. university campuses. While it is promoted as an evidence-based best practice, Green Dot is fairly rigid and focuses primarily on sexual violence (not harassment or microaggressions) without bringing an intersectional perspective to considering how race, ability, sexuality, and other identities shape these dynamics.

included in all student orientation programs. In designing bystander training programs for CARE, I explicitly discussed power dynamics in thinking through how audiences even recognize certain actions as potentially harmful in the first place and how individuals might respond in certain scenarios. While I gave one bystander training for staff in housing, these programs are primarily student-facing.

I have a few recommendations to enhance bystander skills development on campus. While working for CARE, I supervised a student intern in 2020 to reinstate an intersectional bystander intervention program that sought to prevent racialized and sexualized harassment at UCSC by developing a training curriculum and ambassador program.⁴⁴ However, because of disruptions from the pandemic, it was never implemented. I recommend that the campus create a task force to finish and pilot a bystander intervention program. This program will likely be most successful if it includes staff from CARE, Title IX, the Beyond Compliance committee, ODEI, and other collaborators so that it can be tailored for undergraduate, graduate student, staff, and faculty audiences. Finally, the campus has no real metrics for evaluating success of prevention programs – including, but not limited to, bystander intervention – beyond basic Title IX reporting data. As a robust bystander program is developed, so too should metrics to evaluate effectiveness of programs in raising awareness and implementing positive intervention skills over time, so this committee might include funding for a Graduate Student Researcher.⁴⁵

⁴⁴ This program had been initiated by a group of former staff on campus in 2017.

⁴⁵ As well, more generally, evaluations of all of CARE's prevention programs would benefit from the support of social science researchers on campus.

Much prevention-oriented work tends to center on harm and violation by teaching audiences to recognize what violence or non-consensual behavior looks like and how to stop it. However, more recently there has been some recognition that, especially for young people, there needs to be more education around sexual agency, communicating desires and boundaries, and knowing why one wants to have a sexual or intimate encounter in the first place. In the United States, sex education for adolescents is inconsistent and politically polarized, with only half of states mandating some form of sex education in high schools and only 13 states requiring that education be comprehensive and medically accurate (USC Department of Nursing 2017).⁴⁶ As Peggy Orenstein shows in *Boys & Sex* (2020), in the absence of sex education, young men today increasingly learn about sex from pornography, much of which is violent, degrading toward women, and upholds nonconsent as the norm. Jennifer Hirsh and Shamus Khan’s landmark study of sexual violence at Columbia University, *Sexual Citizens* (2020), proposes that we (as a society) need to do more to help young people understand their “sexual projects” (identifying what they use sex for – connection, intimacy, learning, fun, etc.) and develop their “sexual citizenship” (recognizing their own and others’ sexual agency). There is a lot more room for UCSC and CARE to implement sex education that teaches students to

⁴⁶ According to the Sexuality Information and Education Center of the United States, “High-quality comprehensive sex education programs include age, developmentally, and culturally appropriate, science-based, and medically accurate information on a broad set of topics related to sexuality, including human development, relationships, personal skills, sexual behaviors, including abstinence, sexual health, and society and culture. Comprehensive sex education programs provide students with opportunities for learning information, exploring their attitudes and values, and developing skills” (Rollston and Doyle 2020).

develop awareness of their own sexual projects and communicate openly with each other on campus as a matter of consent. Collaborating with the Student Health Outreach Program (SHOP) might be a way to expand positive sexuality educational programs for students.

It's also important to acknowledge that while trainings or workshops are an important tool, they should not be the only prevention strategy. Chapter Three showed how survivors used storytelling practices to articulate their experiences and broaden social understandings of what sexual violence and survival looks like. Awareness raising programs like Take Back the Night are a means of prevention and a way of building belonging. Giving survivors the opportunity to share their story in their own voice – whether in a speak outs, through their art or writing, or in other forms of performance – expands understandings of sexual violence beyond policy definitions or the standardized language of trainings. As Chapter Three illustrates, survivor stories focus not only on experiences of harm and trauma, but on healing, community, and wellness. These forms of survivor expression teach audiences to witness more capaciously how violence and harassment impact individuals and communities, as well as to learn from the resilience that survivors demonstrate.

Prior to 2020 (when orientation shifted to a remote format), CARE utilized a group of students to perform a skit-based, interactive program that raised information about consent, respect, bystander intervention, and campus resources in a fun and interactive way. This program, Slugs Care, got a lot of positive feedback and many students shared that it was one of the most memorable educational programs they

attended (especially in contrast to the online trainings).⁴⁷ These programs suggest to me that there is more opportunity to expand and integrate prevention and awareness raising through modes that are not formal educational settings, but more creative settings that communicate sexual violence, consent, respect, sexual agency, and inclusion in ways that are relevant and meaningful for survivors.

Recommendations

- CARE is an expert and leader in prevention on campus, but only has two FTE for prevention at UCSC. To accomplish the following goals and recommendations, CARE needs more resources for prevention specialists (potentially funding for a third prevention staff).
- Clarify distinctions between CARE's and Title IX's approaches to, purview over, and perspectives on prevention education.
- Integrate intersectionality into all sexual violence prevention programs and prioritize collaborations for programs that disrupt violence specifically targeting marginalized and underserved populations.
- Develop robust and intersectional skills-based bystander intervention training for campus by finalizing the Be Bold training curriculum.
- CARE, SHOP, and other knowledgeable campus resources should collaborate to develop more sex positive and culturally relevant educational materials to develop students' sexual citizenship.⁴⁸
- Design and adapt prevention education to be relevant for graduate students, faculty, and staff (not only undergraduate facing programs) and to focus those more on prevention and support than on compliance around reporting responsibilities.
- Evaluate the effectiveness of campus prevention education programs, perhaps hiring a graduate student researcher in the social sciences to create assessment metrics for the CARE office.

⁴⁷ During the years I oversaw CARE's remote orientation programming, I designed an informational training with interactive polls that would translate for a webinar, though it still used student presenters and a colloquial voice. As Orientation has gone back to an in-person program, I'm unsure whether the skit-based performance was re-implemented for Slugs Care.

⁴⁸ Stanford's Sexual Harassment/Assault Response & Education (SHARE) office has developed some great resources and tools to help their campus community identify and develop their individual sexual projects and sexual citizenship. These might be an interesting model for UCSC to explore: <https://share.stanford.edu/sexual-citizenship>.

- Provide more opportunities across campus for survivors' creative expression in writing projects/journals, art installations, theater or dance performances, and online galleries.

Trauma-informed pedagogy and curriculum

Extending from the above recommendations to expand prevention programming, there also needs to be more structural support to end violence within the university. As an institution primarily dedicated to teaching and learning, I believe that prevention will be most successful if it is integrated within the academic mission of the university, rather than delegated solely to student life or compliance offices. As a Graduate Student Researcher (GSR) for Beyond Compliance, I worked closely with Dr. Kimberly Lau to design and facilitate learning communities (one for faculty and one for graduate students) that would support instructors to develop content related to preventing sexual violence and harassment and implement teaching strategies to engage with these sensitive topics. As a CARE educator, I saw how prevention content was already being implemented into classrooms, including bringing in consent workshops and developing modules on media literacy.. I recommend further collaborations with instructors to design prevention education into course curriculum, ideally in consultation with CARE and Beyond Compliance.⁴⁹

Bringing discussions about sexual violence and consent into the classroom requires attention to how that content might impact students and teaching assistants.⁵⁰

⁴⁹ One benefit to my dual role as a graduate student with teaching experience and a CARE staff member was that I had insight and experience in academic instruction. I felt that helped faculty, other graduate students, and TLC staff take me seriously as an expert in such trainings and conversations.

⁵⁰ Researchers who wrote and worked on *Sexual Citizens* (J. S. Hirsch and Khan 2020) designed a guide to help bring that book into the classroom with openness and empathy for survivors, which could

Chapter Four provides a model of trauma-informed pedagogies that acknowledged the reality and diversity of life experiences that students bring to the classroom. When I worked for the CARE office, I designed a workshop for graduate students that focused on building skills for supporting survivors in their classrooms, including pedagogical strategies like using content advisories, active listening, and trauma-informed ways of responding to student disclosures. While educators have academic freedom to design their courses and use discomfort as a tool for learning, more empathy, flexibility, and content advisories can help survivors to prepare to engage intellectually around topics that might be particularly difficult.

Of course, designing a trauma-informed classroom puts a lot of responsibility and additional work on instructors, work that disproportionately falls on women, faculty of color, and instructors of other marginalized identities. In my personal experience as a teaching assistant and graduate instructor, it was clear that it takes a lot of labor – both practical and emotional – to be a supportive resource for students who are struggling, to allow for flexibility and accommodations, and to be responsive to students’ needs. As a Hispanic-Serving Institution and one that admits high rates of Pell Grant eligible students, many students at UCSC have to work nearly full-time to afford living in Santa Cruz. In addition, because many are first generation college students, their family backgrounds do not provide them with intergenerational knowledge of the university experience. Especially in the years since the emergence

be adapted for most other books about sexual harm. The guide can be found here: <https://static1.squarespace.com/static/5cfe8170aca3540001876100/t/5ef0d2a5ca473c59822cd001/1592840869270/Tips+for+Teaching+Sexual+Citizens.pdf>

of Covid, students across the country are facing high rates of trauma, hardships, mental health crises, and isolation, all of which bleed over into the classroom. Addressing trauma cannot fall onto individual instructors alone, but needs the university to provide more teaching support, resources for managing student accommodations, and (ideally) smaller class sizes for instructors to manage.

Recommendations

- Integrate prevention within the educational mission of the university by creating trauma-informed pedagogical resources for instructors.
- Beyond Compliance and the Teaching and Learning Center should consider running another faculty and graduate student learning community for SVSH curriculum and pedagogical development.
- Identify opportunities for curricular collaborations between CARE, Title IX, orientation, and college cores to enhance students' sex education early in their college experience.
- CARE might consider hiring a graduate student or a prevention staff member focused specifically on graduate student and faculty outreach to provide consultation and collaboration on sexual violence-related classroom content and support with responding to disclosures.
- More resources to the DRC would take some administrative and emotional workload off faculty in providing flexible accommodation support to survivors in their classrooms.

Funding for further research

While the scope of my research and this dissertation were limited to focus on survivors' experiences of sexual violence and harassment within the university, I hope that bringing a robust perspective through my multiple roles on campus – as a graduate student, systemwide Title IX student advisory board member, teaching instructor, and CARE staff member – has provided a holistic perspective on efforts to address violence across campus. There are, however, many areas of further inquiry

that I did not have the capacity to undertake and that would benefit from future research. These include understanding the impacts of 2020 Department of Education regulations on complainants' and respondents' experiences in the new Title IX hearing model, evaluating equity in the Title IX process through exit surveys (discussed above), studying the social norms and structural conditions that underlie perpetration or nonconsensual actions, and assessing the effectiveness of campus prevention programs. While I learned about the specific challenges that graduate students and junior faculty face in their academic departments through public cases and my own insights as a graduate student, much of my work with CARE primarily served undergraduate students. Further institutional support for Beyond Compliance would enhance the committee's ability to identify opportunities for support and resources for graduate students and faculty. Additionally, future research on UCSC's stated commitments to alternative justice and safety priorities deserve consideration. Social science research would help to understand how and if the newly developing "Community Safety Plan"⁵¹ and crisis response teams⁵² actually work to foster safety and equity for all campus communities. If the campus implements restorative justice or other formal alternative processes for remedying sexual violence, these programs would benefit from pre- and post-research to ensure they are designed in accordance with evidence-based best practices and maintain just outcomes for survivors. I encourage campus leadership to direct financial resources to accomplish further

⁵¹ <https://www.ucop.edu/community-safety-plan/>.

⁵² <https://caps.ucsc.edu/mobile-team/index.html>.

research, ideally by providing GSR funding for a position in the CARE office and a separate position in Title IX / Equity and Equal Protection.⁵³

Another area that was beyond the capacity for my research is to map and understand the landscapes in which sexual violence and harassment occurs on campus. With 18 months of my ethnographic research having been conducted remotely due to the Covid-19 pandemic, the social landscapes and “sexual geographies” (J. S. Hirsch and Khan 2020) of harassment were not at the forefront of my methods. Yet as Jennifer Hirsch and Shamus Khan note on their website, “Access to space, and control over who can and cannot enter that space is a critical way power works. And power is critical for understanding assault.”⁵⁴ Hirsch and Khan, along with a team of research collaborators, developed a toolkit – Sexual Assault Prevention And Community Equity (SPACE) – for universities to map the environment in which SVSH occurs on campus.⁵⁵ SPACE provides a model for a group of committed stakeholders⁵⁶ to identify the residential, social, programmatic, public, and virtual spaces through which students interact and how power flows

⁵³ I say ideally because graduate students are trained in research methods, a skill not often held by staff and administrators. Graduate students regularly need more opportunities for funding beyond teaching assistantships and opportunities for professionalization in applied research for career paths beyond academia. Finally, GSRs are appointed at 50% time, and such projects could be undertaken on a part time schedule rather than requiring a full-time staff position. If the CARE and Title IX offices determine GSRs are not their priority need, these research projects could be accomplished through re-allocating staff or creating a cross-position in the Institutional Research, Assessment, and Policy Studies (IRAPS) office that would have a specified-focus on violence prevention and DEI.

⁵⁴ <https://www.sexualcitizens.com/>

⁵⁵ The toolkit is free and can be found here:

<https://static1.squarespace.com/static/5cfe8170aca3540001876100/t/632da738b03e814d506e4010/1663936312709/SexualCitizensToolkitv1.3.pdf>

⁵⁶ Primarily staff in student-facing, DEI, and leadership offices, but including undergraduate and graduate student and faculty representation.

through those spaces. The goal of the SPACE model is to make recommendations that will enhance equity and safety on campus. The SPACE toolkit has been test-piloted by a small select group of universities during the 2022-2023 academic year with demonstrated success and leadership buy-in.

UCSC would strongly benefit from implementing a SPACE task force on campus. UCSC has a unique geography set amidst a redwood forest, where space for residences and even campus offices is limited and increasingly contested. There are also unique vulnerabilities for students. According to the UC's Undergraduate Experience Survey in 2020, 9% of UCSC students reported experiencing homelessness, the highest of all UC campuses (UC Information Center 2021) – and many more face housing and food insecurity. These economic vulnerabilities create conditions for violence and harassment, and with parking restrictions on and off campus, unhoused students who live out of their cars are increasingly subject to discipline. The forested and hilly environment of campus also creates access issues for those who cannot walk long distances or squeeze into crowded buses.

In my interviews with students and my experience working as a CARE advocate, there were patterns to how, where, and which students experienced harassment and assault. I heard from students about drugging in their drinks at parties and bars downtown (see also Ingalls 2019; Meyberg Guzman 2013), nonconsensual contact at forest parties, incapacitated sexual assaults at house parties off-campus, peeping or other invasions of sexual privacy in residence halls and bathrooms, predatory behavior by faculty and teaching assistants in academic spaces, verbal

harassment on campus buses, and derogatory language used in labs and workspaces.

These experiences differentially impact students of color, queer and trans students, and students who are not able-bodied (as well as staff of these identities).

Understanding the sexual geographies through which students, staff, and faculty move in relation to campus life could help identify opportunities for re-allocating space and resources across campus, implementing structural or physical supports, and redesigning policies to enhance safety, equity, and belonging for everyone on campus.

Recommendations:

- Provide GSR or staff funding to the CARE office to assess the effectiveness of campus prevention programs.
- Provide GSR or staff funding to Title IX / Equity and Equal Protection to assess impacts of policy changes (such as the Appendix F hearing model) and equity in their formal processes.
- Continue funding the Beyond Compliance initiative to focus on identifying, addressing, and preventing violence, discrimination, and harassment in academic departments among graduate students and faculty.
- Implement a SPACE task force to evaluate the campus geographies and environments in relation to sexual violence and harassment and identify resources needed to enhance safety and equity.

In conclusion, I want to reiterate that while ending sexual violence and harassment on campus is a lofty goal, the university's central function as an educational and social institution makes it particularly well suited for taking on such a challenge. UCSC's long-standing commitments to social justice, inclusion, and radical thinking could help situate the campus as a leader in equity, safety, and belonging for all students and staff. I hope that the previous pages and specific recommendations laid out in this

chapter help you as a reader – whether you are a student, staff or faculty member, or campus administrator, and whether you have personal experiences that resonate within this study or not – to identify where you might inspire change, support survivors, and stop violence and harassment within our campus community.

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